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“It may be your interest to be our masters but how can it be ours to be your slaves”

Shakespeare

Source:
The Emergence of Pakistan
(Chaudhri Muhammad Ali)
Kashmir: The Unwritten History
(Christopher Snedden)
Kashmir: A Disputed Legacy
(Aliastair Lamb)

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Crux

This book is based on compilation of three important articles about Kashmir, first article titled: *Junagadh, Hyderabad and Kashmir* by Chaudry Ghulam Muhammad exposes imperialistic mindset of Indian leadership and gives detailed account of Indian aggression by which three states Junagadh, Hyderabad and Kashmir were occupied, even when one state, Junagadh had announced its accession to the dominion of Pakistan and Kashmir had standstill agreement with the dominion of Pakistan. Second article titled: *The people dividing J&K instigating the Kashmir Dispute* by Christopher Snedden shatters this Indian theory that, raiders from Pakistan instigated crisis in Jammu and Kashmir and forced Hari Singh to seek accession to the Dominion of India. Third article titled: *Politics in Jammu and Kashmir on the eve of the transfer of power* by Aliastair Lamb discusses the contextual situation of Jammu Kashmir's 'accession' to the Indian Union. Besides these three articles this compilation also includes Hari Singh's letter to the Governor-General of India, Lord Mountbatten on 26th October 1947.this letter reveals that , Hari Singh signed the instrument of accession (if he had ever signed) of the state of Jammu Kashmir to the Dominion of India to seek military assistance from the

Indian Dominion against 'raiders' which to his understanding could not have been received without signing the Instrument of accession (Why as the head of the Sovereign State he did not sought the intervention of UNO?).He in the same letter stated it in unambiguous words that, he needs some time to decide to which Dominion he should accede. In his reply to Hari Singh Governor-General of India, Mountbatten also made it clear that, his Government had decided to accept the accession of Jammu Kashmir state to the Dominion of India with the Policy that as soon as law and order is restored, question of the state's accession should be settled by a reference to the people. Government of India in a white paper on Jammu Kashmir (February 1948) also admits this fact that the government of India regards this accession as purely provisional until such time as the will of the people of the state could be ascertained. At the end of the compilation, we have quoted some of the pledges and promises of first prime minister of India Jawaharlal Nehru that he had made to the people of Jammu and Kashmir and to the world.

Dr. Muhammad Qasim
Amir/Head
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Article-1

Junagadh, Hyderabad and Kashmir

The states of Junagadh, Hyderabad, and Kashmir had not acceded to India or Pakistan by August 15, 1947. All of them were to fall victim to Indian aggression.

Junagadh was a small maritime state, 300 miles down the coast from Karachi. It had an area of 3,337 square miles, and a population of about 700,000. The majority of its population was Hindu and the ruler was a Muslim. Soon after independence, the state offered to accede to Pakistan with which it could maintain communication by sea. The Muslim ruler of Manavadar, a still smaller state contiguous to Junagadh, also acceded to Pakistan. These accessions were not accepted by the Quaid-i-Azam till September 5. The Government of India was also informed. The Indian reaction was immediate and sharp. The Governor-General of India telegraphed to the Governor-General of Pakistan: "Such acceptance of accession by Pakistan cannot but be regarded by Government of India as an encroachment on India's sovereignty and territory and inconsistent with friendly relations that should exist between the two Dominions.

This action . . . is . . . in utter violation of principles on which partition was agreed upon and effected."

The "principles on which partition was agreed upon and effected" were that contiguous Muslim majority areas should be separated from contiguous non-Muslim majority areas to form the two Dominions, Pakistan and India, respectively. Junagadh, which had a Hindu majority and was contiguous to India, should not, it was argued, have acceded to Pakistan. The question of its accession should, the Government of India insisted, be decided by a plebiscite to be held under the joint supervision of the governments of India and Junagadh, but not of Pakistan.

Simultaneously with these formal protests, the Government of India took steps to solve the problem by other means. A Kathiawar defense force was organized. Junagadh was surrounded by Indian troops in conjunction with troops of the neighboring Hindu states of Kathiawar, which had acceded to India. The Jam Sahib of Nawanagar, a leading Hindu prince of the area, urged the Government of India to "take immediate and effective steps to assure continued protection of the Kathiawar States," [1] which were regarded as threatened by Junagadh accession to Pakistan. An economic blockade of Junagadh's was imposed. Rail communications with India were cut off. In consequence, Junagadh's sources of revenues from customs and railways dwindled, and there was a serious

shortage of food. A provisional government of Junagadh with Gandhi's nephew, Shamaldas Gandhi, as President was formed at Bombay. The "provisional government" moved its headquarters to Rajkot, nearer Junagadh, recruited volunteers and organized raids into Junagadh.

During September and October, Junagadh formed a major subject of correspondence between the governments of India and Pakistan and was also discussed at various meetings of the Joint Defense Council. The situation was complicated by the presence, inside the India Union, of enclaves belonging to, or owing suzerainty to, Junagadh. Their exact status aroused much controversy, but the Pakistan was prepared to refer this matter to independent legal opinion. Pakistan was also willing that, where the question of accession was in dispute, a plebiscite should be held. On October 23, the Prime Minister of Pakistan proposed to the Prime Minister of India that the two governments should discuss and settle the conditions for the holding of a plebiscite.

The Government of India was, however, bent on settling the matter by force. The blockade and raids had created such chaotic conditions in junagadh by the end October, 1947, that the Nawab felt compelled to leave for Karachi with his family. On November 1, the enclaves of Babariawad and Mangrol were taken over by Indian forces. Manavadar had already been occupied by India some days earlier. On November 7, an Azad Fauj, or

liberation army, of 20,000 men with armored cars and others modern weapons entered Junagadh. The Azad fauj consisted largely of trained military personnel organized and equipped by order of the Government of India. Two days later control over the entire state was assumed by India. Pakistan, at that time, was in no position to defend Junagadh. Her armed forces were in the process of organizations. The army was faced with in numerable problems arising from refugee movements. There was only the nucleus of a navy and an air force.

The Pakistan government received a telegram from the Prime Minister of India saying that the government of India had taken control of Junagadh state at the request of its Dewan, in order to avoid disorder and chaos, and that they intended to ascertain what the wishes of the people were with regard to accession. In reply, the Prime Minister of Pakistan pointed out that since Junagadh had duly acceded to Pakistan, the Dewan had no authority to negotiate a settlement with India, and that India's action was a clear violation of Pakistan's territory and a breach of international law. He demanded that the Government of India immediately withdraw their forces from Junagadh and restore the administration of the rightful rulers as a preliminary for discussions between the two Dominions. Further correspondence led nowhere. Some months later, the government of India held a referendum under its own supervision. The result

of the referendum was a foregone conclusion. A majority of votes were cast in favor of accession to India. Pakistan, which was in no way associated with referendum, refused to recognize its validity. India is still in unlawful occupation of Junagadh. A complaint lodged by Pakistan with the Security Council of the UN is still pending.

Hyderabad was in most important state in India. It had an area of 82,000 square miles, and the population of 16,000,000. Its annual revenues were Rs. 260 million, and it had its own currency and stamps. The majority of its people were Hindus, but its ruler, the Nizam, was a Muslim. The dynasty was founded in the early years of the eighteenth century by Nizamul Mulk, a grandee of the Mughal Empire. The Nizam had a distinction of the title "His Exalted Highness," and was designated as the "faithful ally of the British Government." Hyderabad occupied a special place in the affections of the Muslim India because of its association with the glory of Mughal Empire. By virtue of its size, resources, importance and prestige, Hyderabad felt entitled to the status of an independent sovereign state. On the announcement of the June 3 plan the Nizam declared that he would not accede to India or Pakistan. He hoped to secure Dominion Status for his state, and sent a delegation to the Viceroy on July 11, 1947. Mountbatten told the delegation that the British Government would not agree to Dominion Status for Hyderabad. Instead, he pressed Hyderabad to

accede to India. This, however, was not acceptable to the Nizam. When the delegation hinted that if India pressed the Nizam too hard he might consider joining Pakistan Mountbatten replied, ”There was no doubt that the Nizam was legally entitled to do so, but . . . the mechanical difficulty presented by the facts of geography was very real . . .without implying any kind of threat, he foresaw disastrous results to the state in five or ten years if his advice were not taken,” [2] The facts of geography to which Mountbatten was referring were that Hyderabad had no outlet to the sea and was surrounded on all sides by Indian territory.

No decision was reached by August 15. Further negotiations with the Nizam were entrusted by the Indian Cabinet to the Governor –General, Lord Mountbatten; he strove to the utmost to bring Hyderabad within the Indian fold. The Nizam was reluctant to sign the standard instrument of accession, but expressed willingness to enter into a Treaty of association with India with respect of defense, foreign affairs and communications. Sir Walter [later Lord] Monckton, who was a friend of Mountbatten, was the Nizam’s principal adviser in these negotiations with the Government of India. The Government of India, however, insisted on accession and would not agree to anything less.

In Hyderabad itself, the Muslim organization Ittehadul Muslimin and its leader Kasim Razvi were

gaining strength. At the end of November, 1947, Mir Laik Ali, a leading Muslim industrialist of Hyderabad, became Prime Minister with their support, although the Quaid-i-Azam on being consulted by the Nizam has advised against the appointment.[3] the attitude of Pakistan leaders towards Hyderabad in its difficulties with India was one of sympathy, but it was felt that the decision as to its precise relationship with India must be left to the judgment of the Nizam and his government.

A standstill agreement between India and Hyderabad was concluded on November 29, 1947. The Nizam also gave a secret promise to Mountbatten not to accede to Pakistan.[4] The Government of India claimed that under the standstill agreement Hyderabad could not enter into any kind of relationship with any kind of country. Serious exception was taken to a loan of Rs. 200 million, which the Nizam's Government had made to Pakistan, despite their protestation that it was a commercial transaction. The loan was in the form of Government of India securities. To deny its proceeds to Pakistan, the Government of India issued an ordinance freezing the securities.

K.M. Munshi, a former Minister in Bombay and a staunch believer in Akhand Bharat, or undivided India, was selected by Sardar Patel to become the Agent General of the Government of India under the standstill agreement. He took it as his patriotic duty to undermine

the authority of the Nizam's government by inciting the Hindus and by other means. Allegations were made that Hyderabad had violated the standstill agreement, but when the Nizam's government offered to refer the matter to arbitration, as provided for the standstill agreement, the Government of India did not agree. The Nizam was also asked to ban the Ittehadul Muslimin and to disband the Razakars, or volunteers. War was threatened. In a speech in Bombay on April 26, 1948, Nehru said: "if the safety of the people in Hyderabad was endangered by the activities of the Razakars, the Government [of India] would intervene in Hyderabad state."[5] Patel talked of Hyderabad going the way of Junagadh. In short, every kind of pressure was brought to bear on the Nizam by the Government of India to force him to accede to India.

Mountbatten and the Indian leaders believed that the entire Hindu population in Hyderabad was for accession to India. They stressed time and again that the issue of Hyderabad should be left to the people to decide. In August, 1947, Mountbatten had written to the Nizam offering "a referendum under the supervision of British officers," but the Nizam had not agreed. [6] In June, 1948, however, Mir Laik Ali accepted Mountbatten's proposal for the holding of a free plebiscite under impartial auspices "on the question whether the state should accede to India or remain independent." Much to Mir Laik Ali's surprise and distress, the Government of India now

insisted that the state should accede to India on defense, foreign affairs, and communications and “if the Government of Hyderabad so wished, they may have the matter further confirmed by a plebiscite.” [7] the demand was also made for the immediate introduction of responsible government, since, as the Government of India stated in their white Paper on Hyderabad, “plebiscite without an interim Government representative of and satisfactory to the majority population in Hyderabad will only be a fraud on the people.”

Lord Mountbatten left India on June 21, 1948, without having achieved his ambition of securing Hyderabad’s accession. The pressures against Hyderabad increased in intensity. An economic blockade was imposed. Military preparations were begun. There were mutual charges of border raids and breaches of the standstill agreement. In a parliamentary debate on July 30, Winston Churchill referred to a speech made by Nehru four days earlier in which he was reported to have said, ”If and when we consider it necessary we will start military operations against Hyderabad.” Nehru went on to say that the regime of the Nizam’s state was composed of gangsters, that the only alternative to its accession was its disappearance as a state, and that in the event of action against Hyderabad he would not confer upon it the designation of war. “It seems to me,” commented

Churchill, “that this is the sort of thing which might have been said by Hitler before the devouring of Austria.”

On August 24, Hyderabad filed a complaint before the Security Council of the UN. But before the Security Council arrange a hearing, India forced a military decision on Hyderabad. On September 13, 1948, less than two days after the Quaid-i-Azam’s death, a full –scale invasion of Hyderabad state by the Indian armed forces was launched. After a brief resistance, the Hyderabad army surrendered on September 17. In due course the state was dismembered and incorporated into the different provinces of the Indian Union. The complaint before the Security Council is still pending.

Kashmir, or to give its full name the state of Jammu and Kashmir, is the northern most part of the Indo –Pakistan sub continent. Its area of 84,471 square miles was the biggest of any state in India. Its international boundaries with Tibet, China, Afghanistan and, but for a small intervening strip, with Russia, gave it great strategic importance. Owing to its mountainous character the state was sparsely populated except in the beautiful valley of Kashmir. The total population of the state, according to the 1941 census, was about 4,000,000 of whom 81 percent were Muslim. The Muslims were in the majority in every province of the state; there was a 93 percent Muslim population in the Kashmir province; 61 percent, in Jammu province; and almost 100 percent, in the northern

region of Gilgit. In Ladakh, which adjoins Tibet, there was a small Buddhist population.

Geographically the state is a continuation of the plains of West Pakistan into the mountains. The rivers Indus, Jehlum, Chenab, which are the life – line of West Pakistan, flow from the state into the plains, making the whole a single geographical unit. All the rail and road communications of the state were with Pakistan. Its exports and imports moved through Pakistan. Timber, which was its, most important source of revenue, was exported by being floated down the rivers into Pakistan. The destiny of West Pakistan and Kashmir linked together by nature and by all possible interests– economic, religious, cultural, and strategic.

Under the Treaty of Amritsar in 1846, the British had sold the state of Jammu and Kashmir to Gulab Singh, a petty Dogra chieftain, for the sum of 7.5 million rupees, or one and a half million dollars. Lord Lawrence, who negotiated the treaty, referred to this transaction as an "iniquitous arrangement."[8] The Maharaja and his Dogra kinsman established and maintained for a century a despotic, reactionary, and oppressive regime in a state. No effort was made to develop the natural wealth of the state. The people were ruthlessly taxed and reduced to the conditions of abject poverty. The Muslims suffered discrimination in every sphere. The Hindu had a more or less complete monopoly of state appointments. Since the

cow is scared to the Hindus, its slaughter was forbidden. If a Muslim killed his own cow to feed his family, the penalty was death– later merciful reduced to a ten year jail sentence. The Kashmiris are a highly gifted people, but their spirit was broken by repressive measures and arbitrary punishments.

With the spread of modern education, a demand for elementary political rights began in the early 1930s. The leaders of this movement were Sheikh Muhammad Abdullah and Chaudhry Ghulam Abbas. The former belonged to the valley of Kashmir and the latter to Jammu. Together they organized the Jammu and Kashmir Muslim Conference. The Maharaja resorted to repressive measures of unusual severity. There were arrests and firings. To help their brethren, Muslims from the neighboring areas of the Punjab entered the state in large numbers. As many as 30,000 volunteers courted arrest. A Kashmir committee in support of the struggle of Kashmir was formed in Lahore under the chairmanship of national poet, Iqbal whose family had come from Kashmir to settle in the Punjab. The struggle led to the appointment of the Glancy Commission by the Government of India. On the recommendation of the commission, a measure of constitutional reforms was introduced and a partly elected legislative Assembly was formed.

In 1939, Sheikh Abdullah came under the spell of Gandhi and Nehru. The Congress leaders assured him of

their support in the struggle against the Maharaja if the Muslim Conference was turned into a non communal organization. Accordingly, the Muslim Conference was converted into the National Conference. Soon, however, divergences between the interests of the Muslims and the Hindus came to the surface. The demand for an independent sovereign Pakistan, the very name and the concept of which included Kashmir as an integral part, produced a new situation. The struggle between the Congress and the Muslim League over the partition of India had its repercussions in Kashmir. The Muslim Conference was revived under the leadership of Chaudhry Ghulam Abbas. Sheikh Abdullah continued with the National Conference as its leader. But the idea of Pakistan gained ground, the National Conference, which was allied with the Hindu Congress, started losing its popularity. Sensing this, Sheikh Abdullah turned to the Quaid-i-Azam. In 1944, at the request of both the National Conference and the Muslim Conference, Quaid-i- Azam visited Kashmir and tried to bring the two organizations together, but without success, Sheikh Abdullah was too deeply committed to the Congress leaders. In particular, Nehru made much of him and professed attachment to him as a personal friend. In 1946, when Sheik Abdullah was put in jail by the Maharaja for having started the "Quit Kashmir" movement in order to get rid of the Maharaja, Nehru in the midst of negotiations with the Cabinet Mission, rushed to Kashmir to defend his friend.

This dramatic gesture was intended to tie Sheikh Abdullah firmly to the side of the Congress.

When the Congress leaders accepted partition, they did so with the intent truncate Pakistan and make it as unviable as possible. They tried their hardest to detach the North- West Frontier Province, but that province had no contiguity with India except through Kashmir. The desperate efforts of Gandhi and other Congress leaders to prevent the inclusion of the North-West Frontier Province in Pakistan make sense only as a part of a broader strategy covering Kashmir as well as the Frontier Province. But entirely apart from the North- West Frontier Province, Kashmir had an intrinsic importance of its own. The occupation of the Kashmir give India control over all the rivers on which the economy of the West Pakistan depends, and would make the most vital part of the Pakistan military vulnerable. Gandhi realized the Kashmir "had the greatest strategic value, perhaps, in all India. [9] Sheikh Abdullah in a statement to the press in Delhi on October 21, 1947, observed, "Due to the strategic position that the state [Kashmir] holds, if this state joins the Indian Dominion, Pakistan would be completely encircled." [10] By getting hold of Kashmir, India would gain a commanding position against Pakistan.

There was an important reason why the Congress leaders could not immediately come out in the open with their plans regarding Kashmir. The reason was provided

by Hyderabad. Except for its far superior administration, Hyderabad was Kashmir in reverse. The former was a Hindu majority state ruled by a Muslim, and the latter a Muslim majority state under a Hindu ruler. Hyderabad occupied a pivotal position in Deccan, or Southern India, and was nearly as important for the Indian Union as Kashmir was for Pakistan. If the Hindu Maharaja of a Muslim majority state of Kashmir had acceded to India before Hyderabad, the claim of the Congress to Hyderabad as a Hindu majority state would have been greatly weakened, and the Nizam of Hyderabad might have acceded to Pakistan. The Congress plan, therefore, was to reach a secret understanding with the Maharaja of Kashmir for accession to India, but not to accept that accession openly until "Hyderabad first and then Kashmir" plan of the Congress from a reliable resources during the partition days, and the attitude and activities of the Indian leaders confirmed it.

Another reason for the seeming indifference of Indian leaders toward Kashmir during the partition days was the lack of communication between the Indian Dominion and the state of Jammu and Kashmir. Their common border ran across high mountains through which no roads had been built. Although, an understanding had been reached between Mountbatten and the Congress leaders regarding the partition of the Gurdaspur district, no overt action could be taken until Radcliffe actually

awarded the Muslim majority tahsils of Gurdaspur and Batala in Gurdaspur district to India,and thus provided a link between India and Kashmir.

In the meantime every effort was made by the Congress to win over the Hindu Maharaja. Acharya Kripalani, the Congress President at that time, was the first to pay a visit to Kashmir. Soon after the announcement of the June 3 plan, Nehru expressed a desire to go there. When the Maharaja objected, Gandhi said he would go in place of Nehru, if need be, in a private capacity. The Maharaja apprehended that visits by Gandhi or Nehru might lead to a visit by the Quaid-i-Azam; and he was strongly opposed to any Muslim League leader coming to Kashmir. [11] Mountbatten, through whom these negotiations for a visit by Nehru or Gandhi were conducted, decided to go first.

In the third week of the June, 1947, Mountbatten spent four days in Kashmir discussing the situation with the Maharaja. Since both Nehru and Gandhi had been very anxious that the Maharaja should make no declaration of independence, Mountbatten urged the Maharaja and his Prime Minister "not to declare independence but to find out in one way or another the will of the people of Kashmir as soon as possible and to announce their intention by 14th August to send representatives accordingly to one Constituent Assembly or the other. He told them that the newly created States

Department was created to give an assurance that if Kashmir went to Pakistan this would not be regarded as an unfriendly act by the Government of India. He went on to stress the dangerous situation in which Kashmir would find itself if it lacked the support of one of the two Dominions by the date of the transfer of power."[12] Actually the State Department was created some day after Mountbatten's return from Kashmir, although the proposal for it had been made earlier. The above report of Mountbatten's talks with the Maharaja was, however, that given by Mountbatten to his Press-Attache, Campbell-Jhonson. It is confirmed by Mountbatten's speech before the Royal Empire Society in London on October 6, 1948, in which he described how he urged the Maharaja "to ascertain the will of the people on joining one Dominion or another. Had he joined the Pakistan the Government of India would have made no trouble. Had he joined with India, well, Pakistan did not exist, so again there would have been no trouble."

Mountbatten's attitude towards Kashmir's accession during these critical days of partition when he was Viceroy deserves careful study. At no stage did he tell the Maharaja, that, in view of the geographical and strategic factors and the overwhelmingly Muslim population of the state, it was his plan duty to accede to Pakistan. The arguments he so forcefully put before Hyderabad, Jaipur, and Jaisalmeer for accession to India

applied with equal strength to Kashmir's accession to Pakistan. But he never used them with the Maharaja. On the other hand, "He assured the Maharaja that [were] . . . he . . . to accede to one Dominion or the other before 15 August, no trouble would ensue, for whichever Dominion he acceded to would take the State firmly under its protection." [13] The assurance was given in June, 1947, when—assuming that an impartial boundary award were made—India would have had no means of communication with Kashmir, and the accession of the state to India in respect of defense, foreign affairs, and communications would have been meaningless.

Mountbatten could hardly ignore the Muslim majority in the population of the Kashmir state, but he did not draw the obvious conclusion and put it to the Maharaja. In Hyderabad and other Hindu majority states with Muslim rulers he had given forthright advice in favor of immediate accession to India. Only in Kashmir did he suggest that the Maharaja should not make a decision until he had somehow or other ascertained the will of the people.

Explaining his policy to Campbell-Johnson in October, 1947, Mountbatten said that he had "exerted his whole influence to prevent him [the Maharaja of Kashmir] from acceding to one Dominion or the other without first taking steps to ascertain the will of his people by referendum, plebiscite, election, or even, if

these methods were impracticable, by representative public meetings." [14] Even in the matter of ascertaining the will of people, there is a striking contrast between Mountbatten's method in Hyderabad and Kashmir. In Hyderabad, Mountbatten insisted on a free plebiscite under impartial auspices and offered to hold it under the super vision of British officers. In Kashmir, he imposed no such condition and made no such offer, but left it to the Maharaja to sound the people in any manner he pleased. In a plebiscite or referendum held in Kashmir under impartial auspices the overwhelming majority of the Muslims and some of the Hindus as well would have voted for Pakistan. For among the Hindus also there were leaders, Pandit Prem Nath Bazaz, who were sincerely convinced that accession to Pakistan was in the best interest of Kashmir. But in the vague and indefinite method of public meetings held under a despotic regime, the Maharaja and his administration could proclaim any result they liked.

Thus, while maintaining an outward appearance of impartiality, Mountbatten was playing the Congress game in Kashmir and cannot be acquitted of complicity in the plan of Congress leaders to acquire Kashmir by hook or by crook. The way he equated the unequal claim of India and Pakistan, the assurance he gave of protection to the Maharaja if he decided on accession to India. The indefinite method he suggested for ascertaining the

wishes of the people could only have left the impression on the mind of the Hindu Maharaja, that he could, with equal facility, accede to India if he so desired.

The Muslim league's attitude to the question of Kashmir's accession was stated by the Quiad-i-Azam in a talk with the delegation of the Jammu and Kashmir Muslim Conference workers in July, 1947. In the course of his talk he remarked:"I have already made it clear more than once that the Indian states are free to join either the Pakistan Constituent Assembly or the Hindustan Constituent Assembly or remain independent. I have no doubt that they, the Maharaja and the Kashmir Government, will give the closest attention and consideration to this matter and realizes the interest not only of the ruler but also of his own people." Actually he was convinced that a dispassionate consideration of the relevant facts of population and geography, the economic and cultural ties, and even the Maharaja's dynastic interest would inevitably point toward accession with Pakistan. He expressed a desire to go to Srinagar, but Mountbatten persuaded him to drop the idea in the face of objections made by the Kashmir Government.

Although Mountbatten had dissuaded the Quaid-i-Azam from going to Kashmir or sending any Muslim League leader there, he arranged for Gandhi's visit there on August 1, 1947. This was Gandhi's first visit to the beautiful valley. Ha had not, needless to say, undertaken

this long journey, at the age of seventy- seven, for aesthetic reasons. He saw the Maharaja and the Prime Minister, and had a series of interviews with the workers of the National Conference, among them Bakshi Ghulam Muhammad. The Prime Minister of Kashmir at this time was Pandit Ram Chandra Kak; and although he was a Hindu he opposed the state's accession to India.

Gandhi's object was to oust Kak and to win over the Maharaja for accession to India. His approach was to play upon the religious sentiments of the Maharani through her spiritual guide. The reverence in which Gandhi was held by every pious Hindu helped him to gain his political ends. The Maharaja, who in his youth was easily black-mailed by a woman of easy virtue and her associates in London, was hardly of the caliber to withstand in his declining years pressures of a more exalted kind.

The measure of Gandhi's success can be judged from the report of his visit that he sent to Nehru and Patel. "I met [the Maharaja and the Maharani]. . . . However much they might wish to join the Union [for India], they would have to make the choice in accordance with the wishes of the people . . . Bakhshi (Ghulam Muhammad) was most sanguine that the result of the free vote of the people, whether on the adult franchise or on the existing register, would be in favor of Kashmir joining the Union [of India] provided of course that Sheikh

Abdullah and his co- prisoners were released, all bans were removed and the present Prime Minister was not in power." To Patel alone he wrote the Maharaja wished "to remove kak . . . . The only question (before him) is how. . . . In my opinion the Kashmir problem can be solved."[15]

Pandit Kak was removed from the office of the Prime Minister within ten days after Gandhi's visit to Kashmir. A month later Sheikh Abdullah was released from jail, but Chaudhry Ghulam Abbas and other Muslim Conference leaders remained in prison. The Kashmir problem was on the way to being solved to Gandhi's satisfaction.

After independence was declared, a standstill agreement was signed between Pakistan and Kashmir. This was partly necessity, since postal communications and export and import trade via India would take time to organize, partly camouflage. The Kashmir Government also offered a standstill agreement to India, but the Government of India took no action on it. As already explained, it did not suit India to take overt action for taking over Kashmir until later.

The wishes of the Muslim population in Kashmir were demonstrated in an unmistakable fashion on independence day. August 15, 1947, was celebrated as "Pakistan Day" throughout the state. But August 15 was also the signal for the Maharaja to put into action his plan

of liquidating the Muslim majority. To advise the Maharaja of Kashmir on this problem there were visits by the Sikh Maharajas of Kapurthala and Patiala. Kapurthala state had a Muslim majority, but almost all the Muslims had been killed or driven out with the help of state forces. The Maharaja of Patiala was an even greater expert in genocide. If similar methods were followed in Kashmir, the Muslim population was cut down and terrorized, accession to India might present no difficulty. To execute this plan, the Dogra General Janak Singh was appointed Prime Minister in place of Pandit Kak. The civilian population was ordered to deposit with the state authorities all arms in their possession. Sikhs and RSS murder gangs started operation and were actively supported by state troops. Treachery was added to the methods adopted in East Punjab. Muslims were promised safe conduct if they left for Pakistan, and then were ambushed and slaughtered on the way. “In one area,” reported the London Times of October 10, 1947, “237,000 Muslims were systematically exterminated, unless they escaped to Pakistan along the border, by the force of the Dogra state, headed by the Maharajah in person.” Ian Stephens, who was editor of the Statesman of Calcutta at that time, wrote:

> “Within a period of about eleven weeks starting in August, systematic savageries, similar to those already launched in East

> Punjab and in Patiala and Kapurthala, practically eliminated the entire Muslim element in the population, amounting to 500,000 people. About 200,000 just disappeared, remaining untraceable, having presumably been butchered, or died from epidemics or exposure. The rest fled destitute to West Punjab." [16]

In Poonch, which is the western part of the Jammu province, things did not go according to the Maharaja's plan. Poonch was one of the recruiting areas for the Indian army and was the home of 65,000 veterans of the Second World War. In August, 1947, there were demonstrations in many places in Poonch against the Maharaja's contemplated move to join India. State troops fired upon the meetings, inflicting heavy casualties. The people who had suffered so long rose against the Maharaja's rule. They obtained arms from tribal areas and fought back. The man who raised the standard of revolt was Abdul Qayyum, but "the folly of Dogras who burnt whole villages where only a single family was involved in the revolt," rallied the entire Muslim population to the popular cause.[17] in six weeks the districts of Poonch and Mirpur, except the town of Poonch, had been cleared of state troops. A little later, the Azad Kashmir government, under the presidency of Sardar Muhammad Ibrahim, a local barrister, was

organized. Speaking in Delhi on October 21, 1947, Sheik Abdullah, after referring to the fact that the Muslims of Kashmir were afraid that the state's accession to India portended danger to them, said:

> The Present troubles in Poonch . . . were caused by the unwise policy adopted by the state. The people of Poonch . . . had started a people's movement for the redress of their grievances. It was not communal. Kashmir State sent its troops . . . But most of the adult population of Poonch were . . . ex-servicemen in the Indian army with close connections with the people in Jehlum and Rawalpindi [in Pakistan]. . . . They evacuated their women and children, crossed the frontier, and returned with arms supplied to them by willing people. The present position is that the Kashmir state forces have been forced to withdraw in certain areas. [18]

During this time the Pakistan government had its hands full; it had to deal with the task of establishing a new administration, the ordeal in the Punjab, and the mass migration that was under way. The people of Pakistan felt the most lively sympathy with their brethren in Jammu and Kashmir. The tragedy being enacted there appeared as part of a vast conspiracy to overwhelm Pakistan at its birth. As hundreds of thousands of Muslim

refugees from Jammu and Kashmir moved into the neighboring areas of Pakistan, a new and grave threat to Pakistan took shape. These planned massacres signified evil. The Pakistan army authorities were greatly concerned as soldiers, who had been on leave to their homes in Poonch, reported that Muslim villagers there were being attacked by state troops. Vigorous protests to the Maharaja's Government were made. But instead of putting its own houses in order, the state Government accused Pakistan of having deliberately cut off supplies of food, gas, and other essential commodities. There was no truth in these allegations. The movement and feeding of millions of refugees had put the utmost strain upon supplies and rail and road communications in the Punjab. If shortages occurred in the state, it was due to the wholly exceptional circumstances produced by the greatest migration in history. Nevertheless the Pakistan Government was anxious to do all it could.

The Quaid-i-Azam himself wanted to go to the Kashmir about the middle of September; he hoped to have a friendly talk with the Maharaja, but the Maharaja did not want him to come. On October 2, 1947, Liaquat Ali Khan suggested that the question of civil supplies for Kashmir should be discussed by representatives of the two Governments. The reply given by the Prime Minister of Kashmir was that at the moment he was too busy. Despite this, the Pakistan government seat a senior

officer of the Ministry of Foreign Affairs, Colonel Shah, for discussion with the state authorities. The Prime minister of Kashmir refused to discuss matters with him, he had to return.

During September, 1947, significant moves had been made by the Government of India in collaboration with the Maharaja of Kashmir. Sheikh Abdullah was released but, as noted earlier, Chaudhry Ghulam Abbas, the leader of the Muslim Conference, was not. Gopalaswami Ayyangar, who had been Prime Minister of Kashmir from 1937 to 1943 and who was notoriously anti-Muslim, was appointed Minister without Portfolio in the Indian cabinet. On September 30, a provisional defense committee of the cabinet was formed which included the Prime Minister, the Deputy Prime Minister, the Defense Minister, the Finance Minister and, significantly enough, the Minister without Portfolio. Although Gopalaswami Ayyangar was an expert on Kashmir, he could hardly be regarded as an expert on defense. To make up this deficiency, Mountbatten was made Chairman of the committee "in view of his knowledge and experience of high military matters."[19] Preparations for aggression in Kashmir had started. What moved the Government of India to start these preparations at this time was presumably the freedom movement in Poonch, which the Maharaja's forces has failed to put down, and which was spreading to other areas.

The next step immediately following the information of provisional defense committee was the appointment of a trusted Indian, Mehr Chand Mahajan, as Prime Minister of Kashmir in place of Dogra General Janak Singh. From the very outset, Mahajan's attitude was aggressive. On the day he assumed office he held a press conference in which he denounced Pakistan. On the same day, October 15, 1947, he sent a telegram to the Pakistan Government, suggesting an impartial enquiry into the complains of the Maharaja's government and adding significantly: "if . . . this request is not heeded the Government much against its wishes will have no option but to ask for assistance to withstand the aggressive and unfriendly actions of the Pakistan people along our border." The reference was obviously to assistance from India. It was a clear pointer that Indian plan for a military occupation of Kashmir at the invitation of the Maharaja's Government had reached a point where they could be openly avowed. The Pakistan Government readily accepted the proposal for an impartial enquiry and suggested an immediate meeting between representatives of the two governments. But the Kashmir Government took no notice of this acceptance and made no further reference to the matter. Three days later, on October 18, another telegram came from the Prime Minister of the Kashmir, this time to the Quaid-i- Azam, repeating all the previous allegations and again threatening to seek outside assistance. It was evident that

a pretext from Indian military intervention in Kashmir was being sought. The Quaid-i-Azam in his telegraphic reply, on October 20, requested the Maharaja to send the Prime Minister of the Kashmir to Karachi for discussion in order to smooth out difficulties and adjust matters in a friendly way. The Quaid-i-Azam stated:

> The threat to enlist outside assistance shows clearly that the real aim of your Government's policy is to seek an opportunity to join the Indian Dominion, as a coup d'e`tat, by securing the intervention and assistance of that Dominion. This policy is naturally creating deep resentment and grave apprehension among your subjects, 85 per cent of whom are Muslims. The proposal made by the Government for a meeting with your accredited representative is now an urgent necessity.

No reply was sent by the Maharaja to this telegram despite a reminder by the Quaid-i-Azam.

About this time, unknown to the Pakistan Government, a storm was brewing in the tribal areas. News of atrocities committed by the Maharaja's Government on the Muslim of Kashmir had reached tribal areas from refugees and ex-soldiers from Poonch, who had gone to there to purchase arms. Massacre of Muslims

in East Punjab had already inflamed the feelings of the tribesmen. Now they felt a call for Jihad, or holy war, in Kashmir. On October 21, Liaquat Ali Khan told me in a state of unusual excitement that a tribal lashkar, some thousands strong, was on the way to Kashmir. I asked him if he had informed the Quaid-i-Azam and he said, ”Not yet,” he had just received a report. There was nothing the Pakistan Government could do about it. An attempt to prevent the tribesmen for performing what they conceived to be a religious duty would have set the whole frontier ablaze. The Pakistan army was neither fully organized nor adequately equipped. The demands made on it by the refugee problem were more than it could cope with. The tribal lashkar, which crossed the bridge on the river Jhelum into state territory on October 22, quickly over powered the state forces, and by October 26 had reached the vicinity of Srinagar, the capital of Kashmir. The previous night the Maharaja fled from Srinagar to Jammu. Had the tribal lashkar been more disciplined, it would have been in occupation of Kashmir valley on October 26.

When the Indian Cabinet received news of the tribal incursion into Kashmir, it wanted, “to rush in arms and ammunitions already requested by the Kashmir Government,” but Mountbatten urged that accession should first be obtained. “he considered that it would be the height of folly to send troops into a neutral state,

where we had no right to send them, since Pakistan could do exactly the same thing, which could only result in a clash of armed forces and in war." [20] V.P. Menon was sent off to Srinagar to secure accession. Simultaneously Mountbatten, as one of his staff told me on my visit to Delhi a fortnight later, assumed direction of military operations—to use his dramatic language—"The mantle of the Governor-General fell from him and he assumed the garb of the supreme commander." To Mountbatten himself it might have appeared as only an extension of his function as Chairman of the provisional defense committee. Anyhow, his great experience of combined operations during the Second World War was put at the service of Indian aggression in Kashmir. When, on the morning of October 27, 1947, he signed the instrument of accession V.P. Menon had brought back with him, the airlift of Indian troops to Srinagar had already started. As the formation of the provisional defense committee on September 30 and the threats of the Maharaja's Government in mid-October to call in outside assistance clearly indicate, the Indians had been planning armed intervention in Kashmir for quite some time. But the credit for the improvisation of air-borne operations within a few days, and their success in halting the tribal lashkar outside Srinagar, must go to Mountbatten's military skill, even as the stratagem of obtaining the Maharaja's immediate accession is attributable to his diplomatic finesse. As Campbell Jhonson wrote,"Mountbatten's

extraordinary validity and canniness were well adapted to the demand of the hour."[21] His was the brain that conceived the strategy and the hand that directed the operations.

Mountbatten's attitude toward Pakistan and Kashmir at this critical time in the history of Indo-Pakistan relations has been described by Ian Stephens, who was called to dinner by Lord and Lady Mountbatten on the evening of October 26.

> I was startled by their one-sided verdicts on affairs. They seemed to have "become wholly pro-Hindu." The atmosphere at Government house that night was almost one of war. Pakistan, the Muslim League, and Mr. Jinnah were the enemy . . . because of the Pathan attack, the Maharaja's formal accession to India was at that moment being finalized. Subject to a plebiscite, this great state, its inhabitants mainly Muslim, would now be legally lost to Jinnah. The Pakistanis had been crazy to accept the accession of Junagadh. Indian troops were to be flown into Kashmir at once; arrangements had been made.

His memorandum records Mountbatten as "persuasive, confident, charming, a successful commander on the eve of an important operation."[22]

Foreign writers reviewing the events of those days have questioned Mountbatten's role and wondered why the Indian cabinet and, in particular, Mountbatten didn't take the obvious course of consulting the Paskistan Government, with whom the Maharaja had entered into a standstill agreement and who had the most vital interests at stake in this issue. Lord Birdwood asks:

> How was it, then, that on 24 or 25 October no one in Delhi thought of getting on the telephone to the Pakistan Prime Minister and dealing with the crisis as a solemn responsibility to be shouldered by a display of joint statesmanship? If Mr. Nehru could not have risen to the occasion of his own free will, was there no one at his elbow of sufficient vision [the reference is to Mountbatten] to have influenced him to do so? Therein was the tragedy.[23]

Joseph Korbel, who as the Indian nominee on the United Nations Commission for India and Pakistan had an exceptional opportunity to study the Kashmir problem, wrote:

> Why . . . did he [Mountbatten] advise that Indian military assistance to the Maharaja must be covered by the legal technicality of accession? How could he have reasoned that it

> would be illegal for Kashmir (which was at the time of invasion technically an independent country) to ask for military help from India without preceding the request by accession? . . . . Why was there at this point no appeal made to the United Nations? . . . . Finally, it is most difficult to understand why no one, particularly Mountbatten, advanced the most obvious idea – that of immediately getting into contact with the Karachi government for consultation.[24]

The Quaid-i-Azam was at this time in Lahore, and not, as Mountbatten assured Ian Stephens, "waiting at Abbotabad ready to drive in triumph to Srinagar." When news of the Indian invasion of Kashmir reached him, he immediately ordered General Gracey, the acting Commander-in-Chief of the Pakistan army, to send troops into Kashmir. Gracey did not carry out the order but telephoned instead to the Supreme Commander, Field Marshal Auchinleck, in Delhi for instructions. The contrast with Delhi must be noted. There the British Commander-in-Chief of the Indian army did not question the orders emanating from the Governor-General Lord Mountbatten and the Indian Cabinet to fly troops into Kashmir. Obedience to the Quaid-i-Azam's orders would, as Auchinleck reported to the Chiefs of Staff in London, have entailed the issuance of the "Stand Down Order," which

called for the withdrawal of all British officers in the event of armed conflict between the two Dominions. [25]

Auchinleck flew to Lahore on October 28, the morning after the Indian invasion, to discuss the situation with the Quaid-i-Azam. As a result of the discussion,the Quaid-i-Azam agreed to withdraw his order to the Pakistan army to march into Kashmir and accepted Auchinleck's proposal for an immediate conference in Lahore between the Governors-General and the Prime Minister of India and Pakistan. Mountbatten and the Indian Cabinet also accepted Auchinleck's proposal but almost immediately afterward started resiling from it. Nehru took to bed from an indisposition; Patel, who had strongly opposed Nehru's going to Lahore, said he could not leave Delhi. The conference, which was due to be held on October 29, was postponed from day to day and finally Mountbatten alone reached Lahore on November 1.

The letter of October 27, 1947, through which the Governor-General of India accepted the Maharaja's request for accession stated: "Consistently with their policy that, in the case of any state where the issue of accession has been the subject of dispute, the Question of accession should be decided in accordance with the wishes of the people of the state, it is my Government's wish that as soon as law and order have been restored in Kashmir and her soil cleared of the invader, the question

of the State's accession should be settled by a reference to the people."[26]

In a telegram to the Prime Minister of the Pakistan on the same day, the Prime Minister of India: "I should like to make it clear that question of aiding Kashmir in this emergency is not designed in any way to influence the State to accede to India. Our view which we have repeatedly made public is that the question of accession in any disputed territory or State must be decided in accordance with wishes of people and we adhere to this view.

In a further telegram sent on October 31, Nehru gave this pledge:" Our assurance that we shall withdraw our troops from Kashmir as soon as peace and order are restored and leave the decision regarding the future of this state to the people of the state is not merely a promise to our Government but also to the people of Kashmir and to the world."

The Pakistan Government saw through these assurances. A press communiqué issued in Lahore on October 30 stated that, "in the opinion of the Government of Pakistan the accession of the Kashmir to the Indian Union is based on fraud and violence and as such cannot be recognized."It could not be recognized since it was manifestly contrary to the wishes of the people. The Maharaja, having already entered into a

standstill agreement with Pakistan, was debarred from entering into relations with any other power unilaterally. Furthermore, at the time he offered accession to India, the Maharaja had been divested of authority over large portions of the state by the people's rebellion. Only the people of the Kashmir could decide the question of the accession of the state. The communiqué added: "the reference to the plebiscite for Kashmir is merely put forward to mislead as it ostensibly seems attractive but as a practical preposition as it remains on the paper. If the Indian Government are allowed to act freely and unfettered as they please by virtue of having occupied Kashmir and landed their troops there, then this 'eldorado' of plebiscite will prove a mirage."

In the meeting with Mountbatten on November 1, the Quaid-i-Azam put forward the following proposals to settle the Kashmir dispute:

1. A proclamation should be made by the two Governors- General giving forty-eight hours' notice to the opposing forces to cease fire and warning the tribesmen that, if they did not comply, the forces of both countries would wage war on them.
2. Simultaneous withdrawal from Kashmir of the Indian troop and the tribesmen should be effected.
3. The two Governors-General should be vested with full powers to restore peace, undertake the

administration of the state, and arrange for a plebiscite under their join control and supervision.

Mountbatten offered to refer these proposals to the Indian cabinet, but pleaded his inability as constitutional Governor-General to take a decision, or to conduct the plebiscite jointly with the Quaid-i –Azam. His position as constitutional Governor-General had not, however, debarred him from being the chief negotiator with Hyderabad or from directing military operations in Kashmir. When the proposals were referred to the Government of India, they did not accept them. But in a broadcast on November 2, Nehru declared that the Government of India "are prepared when peace and order have been established in Kashmir to have a referendum held under international auspices like the United Nations." [27]

The meeting of November 1 finally disillusioned the Quaid-i- Azam with Mountbatten. At this meeting Mountbatten give the Quaid-i-Azam his word of honor that Nehru had really fallen ill and was unable to come Lahore. But the very next day a high ranking British officer told the Quaid-i-Azam that he had seen Nehru as fit as ever the day before in Delhi.

The turn of event in Kashmir had an adverse effect on the Quaid-i-Azam's health. At the time of partition he had been confident of Kashmir's accession to Pakistan

because of its Muslim population and geographical situation. “Kashmir, “he would say, “will fall into our lap like a ripe fruit.” Now he felt deceived, and his earlier optimism gave way to a deep disappointment.”We have been put on the wrong bus,” he remarked.

While these discussions between the governments of India and Pakistan were proceeding, a local revolution occurred in Gilgit in the far north of Kashmir. The area is mountainous and its only communications with the rest of the state are two high passes that are snow bound in winter. The population is almost wholly Muslim. Although Gilgit formed part of the state of Jammu and Kashmir, it was administered by the British Government of India through a political agent. When independence was declared, the area was retroceded by the British Government to the state, and the British political agent was replaced by a Dogra Governor. When the unexpected news of the Maharaja’s accession to India reached Gilgit, the people were outraged and decided to throw off the Maharaja’s yoke. On October 31, the Hindu Governor was taken into custody by the Gilgit Scouts, and on November 2, the Pakistan flag was hoisted amidst popular acclaim. In response to a request to take over the administration, the Pakistan Government flew a representative to Gilgit on November 14. A little later, the ruler of Hunza and Nagir, which are comprised in the Gilgit Agency, requested accession to Pakistan. Since then, the whole

area has been administered by the Pakistan Government and has remained outside the arena of conflict in Kashmir.

On November 8, I accompanied Abdulr Rab Nishtar to Delhi for meeting of the Joint Defense Council. After the meeting, Nishtar had an exchange of views with Nehru about Kashmir and returned to Pakistan. Mountbatten asked me to stay on for further discussions. I worked with Ismay and V.P. Menon to find a solution for states whose accession was in dispute. In each of them the ruler of the state did not belong to the community to which the majority of his subjects belonged. The only manner in which the dispute over accession could be resolved was by a reference to the will of the people under conditions guaranteeing a free vote. In Kashmir it was essential that the tribal lashkar and the Indian troops should both withdraw. In the evening I was told that Mountbatten and Sarder Patel agreed to such a plan, but not Nehru, and I was advised to see him.

I had a long discussion with him and came away convinced that Nehru was resolved to hold Kashmir by forces and have no intention of allowing the people of Kashmir the right to determine their future. My argument that a fair solution of the Kashmir dispute was the best guarantee of friendly relations between India and Pakistan, and was, therefore, in the best interests of both countries, left him cold. He talked only in terms of power

politics, and said again and again that in matters of state no sovereign independent power could be trusted. If Pakistan had to be, it must never have the strength to be a possible threat to India. I pointed out that Kashmir's accession to Pakistan could not pose a threat to India because of the mountainous barrier between Kashmir and India. On the other hand, India would, by occupying Kashmir, be commanding the heights of Pakistan and controlling its life- line of rivers flowing from Kashmir. I found no trace in him on those sentiments of attachment to Kashmir with which he is often credited by virtue of his family's origins in Kashmir. The fact that in a prolonged struggle over Kashmir its people would be the worst sufferers did not move him in the least. What mattered to him was that Kashmir's accession to Pakistan would strengthen Pakistan.

Three weeks later, Liaquat Ali Khan came to Delhi for another meeting of the Joint Defense Council and there was a renewed effort at solving the Kashmir dispute. Again Ismay, V.P. Menon, and I walked together to produce a basis for discussion between the two Prime Ministers. The lines leading to a solution were clear. The fighting should stop, and both tribesmen and the Indian troops should withdraw. The Government of India and Pakistan should make a joint request to UN to hold a free and fair plebiscite in Kashmir under its auspices. Conditions of peace should be established so that citizens

of the state who had been driven out could return to their homes. All political prisoners should be released. There should be no restriction on legitimate political activity. Similarly, a plebiscite should be held in Junagadh to decide its future. Had there been a will to abide by the decision of the people of Kashmir, there would have been no difficulty. But Nehru was neither prepared to withdraw Indian forces from Kashmir, nor to allow an impartial plebiscite to be held.

Sardar Patel, although a bitter enemy of Pakistan, was a greater realist then Nehru. In one of the discussions between the two Prime Ministers, at which Patel and I were also present, Liaquat Ali Khan dwelt at length on the inconsistency of the Indian stand with regard to Junagadh and Kashmir. If Junagadh, despite its Muslim ruler's accession to Pakistan belonged to India because of its Hindu majority, how could Kashmir, with its Muslim majority, be a part of India simply by virtue of its Hindu ruler have signed a conditional instrument of accession to India? If the instrument of accession signed by the Muslim ruler of Junagadh was of no validity, the instrument of accession signed by the Hindu ruler of Kashmir was also invalid. If the will of the people was to prevail in Junagadh, it must prevail in Kashmir as well. India could not claim both Junagadh and Kashmir. When Liaquat Ali Khan made these incontrovertible points, Patel could not contain himself and burst out: "Why do you

compare Junagadh with Kashmir? Talk of Hyderabad and Kashmir, and we could reach an agreement." Patel's view at this time and even later was that India's effort to retain Muslim majority areas against the will of the people was a source not of strength but a weakness to India. He felt that if India and Pakistan agreed to Let Kashmir go to Pakistan and Hyderabad to India, the problem of Kashmir and of Hyderabad could be solved peacefully and to the mutual advantage of India and Pakistan.

There was a second round of talks between two Prime Ministers in Lahore on December 8, but they also produced no results. Nehru even backed out of the agreed proposal for a joint request to the UN to hold a plebiscite in Kashmir. During this time fighting was going on in Kashmir. The Azad Kashmir forces, ill- equipped and outnumbered as they were, bravely resisted the Indian army and succeeded in consolidating and strengthening their position. Mountbatten was afraid that without the intervention of the third party there was serious danger of war between the two Dominions, and he was most anxious to avert this. The British Prime Minister pleaded with Nehru for a peaceful and just solution but no avail. An appeal to the United Nations appeared to Mountbatten to be the only way of bringing in an outside mediator. Eventually, despite Gandhi's disapproval, Mountbatten succeeded in persuading Nehru to go to the United Nations with a complaint against Pakistan.

On January 1, 1948, the Government of India appealed to the Security Council to ask Pakistan to prevent its personnel. Civil and military, from participating or assisting in the invasion of Jammu and Kashmir, to call upon other Pakistan nationals to desist from taking any part in the fighting in the state, and to deny to the invaders access to its territory, supplies, and other aid. The Government of India also stated that after the restoration of normal conditions the people of Kashmir would be free to decide their future by a plebiscite under international auspices.

Pakistan lodged a counter complaint setting forth the attempts made by India to destroy Pakistan; the genocide of Muslims in East Punjab, Delhi, and other places in India, the forcible occupation of Junagadh, and the action taken by India to secure the accession of Kashmir by fraud and violence. The Security Council was requested by Pakistan to bring about a just and fair settlement of these disputes. For Kashmir, the request was for cessation of fighting, the withdrawal of all outsiders whether belonging to India or Pakistan, the return of Kashmir refugees, the establishment of an impartial administration, and the holding of a plebiscite "to ascertain the free and unfettered will of the people of Jammu and Kashmir as to whether the state shall accede to Pakistan or to India."

The Pakistan delegation to the Security Council was led by Foreign Minister Zafarullah Khan, and included M.A.H. Ispahani, Pakistan's Ambassador in the USA and M. Wasim, the Advocate General, I was also made a member of the delegation on the Quaid-i-Azam's express orders. Gopalaswami Ayyangar was the leader of the Indian delegation, which included Sheikh Abdullah, who was first associated with the Maharaja's government and later appointed Prime Minister of Kashmir. Sheikh Abdullah was used by India in moral justification of her occupation of Kashmir. At that time, Sheikh Abdullah has been led by Nehru to believe that India fully respected the rights of the people of Kashmir to self- determination, and that, after peace was restored, a plebiscite would be held. Sheikh Abdullah and I had been at college together. Now, after over two decades, we met in the corridors of the United Nations building at Lake Success. Although we were ranged on opposite sides, we arranged to have a private meeting in the New York hotel. We went over the whole problem of Kashmir in the context of Indo-Pakistan relations. I found Sheikh Abdullah firmly convinced that Nehru intended to grant virtual independence to Kashmir. I pointed out that Kashmir did not have the military potential to safeguard its independence and would have to depend upon a neighboring power for its security. If that power was India, and Indian armed forces were stationed in Kashmir, it is so-called independence would be purely nominal and could be destroyed at anytime.

Could Muslim Kashmir safely entrust its destiny to predominantly non-Muslim India? But nothing I could to shake his faith in Nehru's personal assurances to him. At that time, Sheikh Abdullah had no inkling of how each undertaking would be violated by his friend Nehru and how he himself would suddenly be dismissed from the office of Prime Minister of Kashmir on August 9, 1953, and be thrown in prison along with his followers, to remain there for eleven years.

The Security Council started its hearing of India's complaint and Pakistan's reply on January 15, 1948. Zafarullah Khan's Masterly exposition of the case convinced the Security Council that the problem was not simply one of expelling so-called raiders from Kashmir, as the Indian representative would have them believe, but of placing Indo- Pakistan relations on a just and peaceful basis and solving the Kashmir dispute in accordance with the will of the people of the state. Zafarullah Khan frankly admitted that volunteers from Pakistan had gone to the aid of their brethren in Kashmir, but, in the face of the universal sympathy in Pakistan for the just cause of the people of Kashmir, the Government of Pakistan could not have stopped them from going. On January 1 7, the Security Council adopted a resolution on calling upon the two governments to take measures to improve the situation and requesting them to report to the Council any material change in it. By another resolution, made on

January 20, the Council established the United Nations Commissions for India and Pakistan, which was to be composed of three members, one to be nominated by India, one by Pakistan, and the third jointly by the two members. The number was later raised to five.

These first resolutions were followed by a debate in the Security Council which lasted for a fortnight, in which the representatives of Pakistan and India participated, and in which every aspect of the Kashmir question was brought under discussion. The consensus of opinion in the Security Council was crystallized in the draft resolution laid before the Council by its President, General McNaughton of Canada, on February 6. The draft resolution demanded an end to all acts of violence and hostility; the withdrawal of all irregular forces and armed individuals who have entered Jammu and Kashmir; the cooperation of the armed forces of India and Pakistan for the establishment of order and security; the withdrawal of regular armed forces on the reestablishment of law and order; the return of refugees to their homes, and the removal of restriction legitimate political activities; the release of political prisoners ; the establishment of an interim administration general confidence and respect of the people of the state; and the holding of an impartial plebiscite to be organized, held, and supervised under the authority of the Security Council at the earliest possible date to decide the

question of whether the state of Jammu and Kashmir should accede to India or Pakistan.

To the surprise of the Security Council, the Indian representative strongly objected to the draft resolution and, in particular, to the withdrawal of the Indian army after the restoration of law and order, the establishment of the impartial administration, and the holding of the plebiscite under the authority of the Security Council. All he would agree to was "having the Security Council give advice and guidance to the Kashmir Government in the organization and holding of that plebiscite and to having the Security Council send observers to see how that plebiscite is conducted."[28] what India desired was that a plebiscite, held under the shadow of Indian bayonets, by a pro-Indian administration, should be accepted by the Security Council as the free vote of the people of Kashmir. The Security Council, on the other hand, wanted a plebiscite that would be really fair and recognized as such by the world. As Warren Austin, the United States representative on the Security Council, put it, "There is nothing, in my view of the matter, that will command that approbation as will a machinery that is free from suspicion and that gives to all the world the appearance of impartiality by actually being an impartial administration of the plebiscite."[29]

Although he had been stressing “the urgency and immediacy of the solution of this problem,” the Indian representative now asked for a five or six weeks’ adjournment of the debate. The Security Council was unhappy about an adjournment, but agreed to it despite Pakistan’s strong plea against any postponement. We were convinced that India’s only object in asking for an adjournment was to gain time in which to exert diplomatic pressure on the governments concerned, particularly the British government. The draft resolution before the Security Council had the support of the majority necessary for passing it. Russia and Ukraine were neutral, but the United States, the United Kingdom, Syria, Colombia, Argentina, and all the other countries represented on the Security Council had strongly supported the principle on which it was based. If the Security Council had pressed on with its business, the resolution would have been passed and the Security Council would have gained respect for its firmness.

The United Kingdom was represented in the Security Council by Philips Noel-Baker, the British Secretary of State for Commonwealth Relations. He had taken a leading part in the discussion that culminated in the draft resolution. His high idealism and sincere devotion to the cause of peace, which deservedly won him a Nobel Prize for peace some year later, shone through every speech he made. But this was precisely the

quality that made him dislike in India. “Mountbatten,” wrote Campbell-Johnson, “is worried because he feels that Attlee and Noel-Baker do not seem to be showing themselves sufficiently alive to the psychological influences of this dispute and that their attempt to deal out even handed justice is producing heavy- handed diplomacy.” [30] Mountbatten had himself never made such a mistake in his conduct of Indian affairs. He was at this time engaged in working out a formula by which India could continue to be a member of the British Commonwealth, even after she became a republic under her new constitution. And he saw his whole diplomacy being wrecked by Noel- Baker’s attempt to deal out even handed justice in Kashmir. “Mountbatten says frankly,” continued Campbell Johnson, “that although individual Indian leaders are alive to the advantages of the continued Commonwealth connection, their political position had been weakened and the attitude of the Government adversely affected by the policy adopted towards Kashmir by the British delegation at the Security Council.”[31] Once again. As in every conflict of interest between India and Pakistan, in particular at every critical moment in Kashmir dispute, Mountbatten made himself an instrument of Indian ambitions. By exerting the full weight of his influence as the highest British official on the spot, he titled the balance heavily in favor of India.

The threat that India would leave a Commonwealth unless the British Government changed its policy towards Kashmir was enough to unnerve Attlee. Anticipating Indian pressure on the British Government, Zafarullah Khan and I went to London. Zafarullah Khan's interview with Atlee confirmed our worst fears. Noel-Baker was overruled and a new line, in keeping with Indian wishes was adopted. Because of their long connection with the Indo-Pakistan subcontinent, the view of the British Government on its affairs commanded great respect in the counsels of Western Nations. The United States, Canada, and other nations were easily induced to follow the United Kingdom's new line. As a further insurance to keep the western powers on their own side, the Indian's also threw out hints of turning to Russia to secure a Russian veto.

When the Security Council met again in March, 1948, McNaughton's draft resolution of February 6 was totally forgotten; and the vastly different resolution was moved by Tsiang, the Chinese representative, who was the President of the Security Council for the month. The new resolution, Zafarullah Khan pointed out, made numerous concessions to India in violation of principles which the member of the Security Council had themselves advocated before adjournment. The Indian representative was also critical of the new resolution which, although one-sided, was not sufficiently one-sided

for him. However, the Security Council passed this resolution with a few amendments on April 21. The resolution provided for a plebiscite to be held after the restoration of the peace; but the plebiscite administrator, although the nominee of the UN Secretary General, was to act as an officer of the state of Jammu and Kashmir. The weakness the Security Council displayed, first in agreeing to an adjournment and, later, in abandoning the draft resolution of February 6 was disastrous for the Kashmir case and for the prestige of the UN. Having taken the measure of the Security Council, India felt she could safely defy the UN. The resolution of April 21, despite its many concessions to the Indian point of view was not accepted by India. Pakistan while criticizing the resolution did not reject it.

While the debates in the Security Council were in progress, the Indian Army in Kashmir was being strengthened in the midst of winter rains and snowstorms, roads and airfields were being improved in preparation for a spring offensive. On March 15, 1948, the Indian defense Minister announced in the Indian constituent assembly that the Indian army would clear out " the raiders" from Kashmir within the next two or three months. The Azad Kashmir forces and the tribesmen had put up a brave resistance against the onslaughts of the Indian army, but they had neither the

strength, nor the equipment, to withstand a well-prepared offensive by far stronger regular troops.

On April 20, General Gracey, the Commander-in-Chief of the Pakistan army, submitted to the Pakistan Government his appreciation for the military situation. After giving details of the build-up of the Indian army he concluded:

> It is obvious that the General offensive is about to start very soon now. . . . If Pakistan is not to face another serious refugee problem with about 2,750, 000 people uprooted from their homes, if India is not to be allowed to sit on the door steps of the Pakistan to the rear and on the flank at the liberty to enter at its will and pleasure; if the civilian and military morale is not to be affected to a dangerous extent; and it subversive political forces are not to be encouraged and let loose within Pakistan itself, it is imperative that the Indian army is not allowed to advance beyond the General line Uri-Poonch-Naoshera.

There was another vital consideration. Mangla Headworks from which the upper Jhelum Canal took off to irritate large areas in West Pakistan was in state territory. If the Indian offensive succeeded, Mangla Headworks, with its control of supplies from the river

Jhelum, would fall into Indian hands. In an attempt to paralyze Pakistan's economy, India had on April 1, 1948, shut off water from the headworks on the rivers Sutlej and Ravi, which Radcliffe had unjustly awarded to India. By getting hold of Mangla Headworks as well, India would obtain a complete stranglehold over the economy of the West Pakistan. An idea of the importance of Mangla can be gained from the fact that it is the only site at which a dam is being built for the replacement of water supplies from the three eastern rivers which are under India's control.

The Pakistan Government accepted the recommendations of the Commander-in-Chief and sent limited forces to the state to hold certain defensive positions. The instructions to the army were, "Prevent India from obtaining a decision by force of arms." Only the army was engaged in this essentially defensive task; the air force was not used. The Indians had thus uncontested control of the air. Despite this and other handicaps, the Pakistan army succeeded in holding the Indian offensive.

The UN commission for India and Pakistan, which had been established by the Security Council resolution of January 20 and had been instructed "to proceed to the spot as quickly as possible," took unduly long to form and arrived in Karachi on July 7, 1948. It was composed of five members: Argentina, nominated by Pakistan;

Czechoslovakia, nominated by India; Colombia and Belgium, selected by the Security Council; and the United States, nominated by the Council's President. At the very first meeting with the commission, Zafarullah Khan notified it of the action taken by Pakistan in standing troops into the state. When the commission moved to Delhi, the Indians made much of what they alleged to be Pakistan's aggression. The members of the commission were new to the subcontinent and were only dimly aware of the historical forces behind the conflict in Kashmir. They were somewhat bewildered by the opposing points of the view advanced with passionate advocacy by India and Pakistan. Eventually, they produced a plan of action and embodied it in the commission's resolution of August 13, 1948. The resolution provided for a cease-fire to be followed by a truce agreement under which the Pakistan troops, tribesmen and volunteers on the one hand; and the bulk of the Indian army on the other hand, were to withdraw from the state. The last part of the resolution dealing with the plebiscite was extremely vague and provided only for negotiations between the two governments and the commission to determine fair and equitable conditions for a plebiscite. In the view of the Pakistan government, no real settlement was possible without a firm guarantee for a free plebiscite. The commission in its inexperience could not perceive this. Josef Korbel, a member of the commission, wrote: "Pakistan obviously was of the opinion that once the

fighting had stopped, India would be satisfied with a de facto division of Kashmir (the better part of which was in her possession), the situation should subsequently become stabilized, and India would then obstruct a free plebiscite. The commission was bitterly disappointed."[32]

Negotiations with the commission were resumed towards the end of the year in Paris, where the General Assembly of the United Nations met. The result was the resolution of January 5, 1949, that laid down the principle and procedures for a free and impartial plebiscite to be conducted under the auspices of the United Nations.

During these months, fighting was going on in Kashmir with varying fortunes. The Indian attack on Uri and Titwal were halted and the line of battle stabilized in the south and the west of the state. In the north, ZojiLa, which was the gateway to the Valley of Kashmir, was threatened by the Gilgit Scouts, but the Indians succeeded in moving tanks up there. In November, 1948, the Indians were able to relieve Poonch town which had long been beleaguered, and to link up Naoshera with Poonch; the whole area east of that line, including Mendhar tahsil, the granary of the Kashmir, was lost to them. There was a fresh influx of tens of thousands of Muslim refugees into Pakistan. Pakistan had not until then interfered with the Indian line of communications through they were easily vulnerable. Now, however, the situation called for stronger measures. A sustained

bombardment of the bridge at Beri Patten shattered Indian ammunition dumps and threw the Indian lines into complete disorder. The Indians could have saved their forces in Kashmir only by an attack on and through Pakistan territory. Such an attack would have involved both Dominions in a general war. Though confronting each other in Kashmir, India and Pakistan had refrained from provoking unlimited warfare. Now, when they were on the brink of the war, both shrank from it. With Nehru's consent, the Indian Commander- in-Chief, General Bucher, on December 30, approached the Pakistan Commander-in-Chief, General Gracey, for a cease-fire. General Gracy supported the proposal and the Pakistan government accepted it. The cease-fire became effective on January 1, 1949.

The decision for a cease-fire has often been severely criticized in Pakistan as unwise. The Pakistan army, which had proved itself to be superior to the Indian army in the contest in Kashmir, could, it is argued, have won Kashmir before India could do much damage to Pakistan. Pakistan knew that India was determined to block a plebiscite and to maintain her military occupation of Kashmir. By placing a wholly undeserved trust in the ability of the United Nations to arrange a plebiscite, Pakistan committed a serious mistake of judgment. At this time I was lying ill in France, where I had gone with Zafarullah Khan for discussions with the UN commission,

and cannot, therefore, speak from firsthand knowledge. But my impression is that the decisive consideration in the mind of Liaquat Ali Khan was the desire to avoid a general war between India and Pakistan, which, he was convinced, would lead to the destruction of both. India would not have taken its losses in Kashmir as a final defeat, but would have sought satisfaction by continuing the war with Pakistan. Neither Dominion had the military potential for a prolonged war. Both countries would soon have placed themselves at the mercy of outside powers in order to obtain needed war supplies, and would have put their new-won freedom in serious peril. In the last analysis, the decision was a political one based on wider considerations than the immediate prospects of gain on the Kashmir front.

As soon as the cease-fire was effected, tribesmen and Pakistan volunteers departed for their homes without waiting for the conclusion of the truce agreement. Indian propaganda has made much of the excesses committed by the tribesman during the first few days of their incursion into Kashmir. Compared with the atrocities committed by the Maharaja's state force and the Indian army on the people of Kashmir, the plunder in which these undisciplined irregulars indulged for some days pales into insignificance. If plunder had been their only motive they would have evaporated as soon as they had to fight against the Indian army. But they continued to

fight bravely against a superior forces for fourteen months, with no other end in view than the freedom of their brethren in Kashmir. The people of Kashmir and of Pakistan owe them a debt of gratitude for their gallant and, on the whole selfless fight. The Azad Kashmir forces fought heroically in defense of their homes. The entire population of Azad Kashmir endured the privations of war and the bombings of the Indian air force with great courage and fortitude.

The two resolutions of the UN Commission for India and Pakistan, dated August 13, 1948, and January 5, 1949, were approved by the Security Council and both India and Pakistan. They constitute an international agreement that had still to be implemented. The essence of the agreement is that the people of the Jammu and Kashmir should have the right to determine their future and decide in a free and impartial plebiscite held under UN auspices whether to accede to India or to Pakistan without coercion or intimidation by the state administration and the military of either country.

The many efforts made by the UN to secure compliance with the international agreement on Kashmir have produced no result. It is a sad commentary upon the anarchic state of world politics that the highest world organization has been powerless to break Indian intransigence, and to secure for the people of the Kashmir their undoubted right to decide in a free vote

whether they will join India or Pakistan. The detailed history of these events lies outside the scope of this article. Here it will suffice to indicate in broad outline their threat.

The UN Commission for India and Pakistan was soon to realize that Pakistan was right in having apprehensions about India's intentions to obstruct the plebiscite. The Indian tactics were essentially the same as they had adopted in dealing with the Cabinet Mission plan. They would misinterpret the plain words of the agreement to suit their own ends and then refuse to accept any other interpretation, even that offered by the authors of the agreement. In keeping with these techniques, the Indians insists upon the disbandment of the Azad Kashmir Force, even though there was no mention of it in the agreement, and even though the Commission stated specifically that "the Resolution [of August 13, 1948] does not contemplate the disarmament and disbanding of Azad Kashmir forces." Other points were raised on which again the Government of India would not accept the interpretation of the commission. There upon, the commission proposed that the differences be submitted to the arbitrations of Admiral Chester W. Nimitz (of Second World War fame) who had been designated Plebiscite Administrator for Kashmir. President Truman and Prime Minister Atlee appealed to

India and Pakistan to accept the proposal for arbitrations. Pakistan accepted and India rejected the proposal.

This pattern of behavior was repeated on eleven subsequent occasions when eminent statesmen and mediators put forward proposals for a settlement of the Kashmir dispute.—Pakistan accepted and India rejected. The distinguished Australian judge Sir Owen Dixon was appointed United Nations representatives in 1950; he replaced the UN commission and was to prepare and supervise a program of demilitarization and carry out its other functions. He reported to the Security Council.

> In the end I became convinced that India's agreement would never be obtained to demilitarization in any such form, or to provisions governing the period of plebiscite of any such character, as would in my opinion permit of the plebiscite being conducted in conditions sufficiently guarding against intimidation and other forms of influence and abuse by which the freedom and fairness of the plebiscite might be imperilled.

In January, 1951, the Commonwealth Prime Ministers' Conference in London informally discussed every aspect of the Kashmir problem. To allow a plebiscite to be held under impartial conditions without jeopardizing the security of the state, three alternative

methods were proposed by Prime Minister Menzies of Australia and endorsed by the other prime ministers including Prime Minister Atlee. They were a common wealth force, a joint Indo-Pakistan force, or a local force to be raised by the Plebiscite Administrator. Each was accepted by Pakistan but rejected by India.

In April, 1951, former United States Senator Dr. Frank Graham was appointed UN Representative to make recommendations for implementing the resolutions (dated August 13, 1948, and January 5, 1949) of the UN commission for India and Pakistan. He submitted a number of reports to the Security Council but because of Indian insistence on keeping a large force in Kashmir failed to bring about agreement on demilitarization.

In August, 1953, at a critical movement following the dismissal and arrest of Sheikh Abdullah, the Prime Minister of India and Pakistan met and in their joint communiqué stated as their firm opinion that the Kashmir dispute “should be settle in accordance with the wishes of the people of that State with a view to promoting their well-being and causing the least disturbance of the people of the State. The most feasible method of ascertaining the wishes of the people was by a fair and impartial plebiscite.” The communiqué announced that the Plebiscite Administrator should be appointed by the end of April, 1954. But before the appointment could be made, Nehru backed out of his

commitment on the specious grounds that the agreement between the United States and Pakistan under the Mutual Security Act had upset the balance of power on the subcontinent and changed the entire context of the Kashmir negotiations. Just because Pakistan entered into an agreement for military aid to safeguard its security, why should the people of Kashmir be denied their right of self-determination?

In February, 1957, the Security Council deputed its Swedish President, Gunnar Jarring, to visit India and Pakistan and arrange a peaceful settlement, but the visit produced no results. Dr. Graham's subsequent efforts were equally fruitless.

Meanwhile, India set up a so- called constituent assembly in Kashmir that under Indian manipulation declared the state to be "an integral part of the Union of India." There upon the security Council in its resolution of January 24, 1957, reaffirmed its earlier stand that any action by this assembly "would not constitute a disposition of the state," which could not be made "through the democratic method of free and impartial plebiscite conducted under the auspices of the United Nation." Although India gave repeated assurances to the Security Council that any opinion expressed by the so-called constituent assembly on the question of accession would not bind the Government of India which would abide by its international commitments. Indian official

spokesmen have, with the passage of time, become bolder and bolder in asserting that a Kashmir is an integral part of India and have even denied the existence of the Kashmir dispute.

This pattern of behavior was changed for a shot while following the serious Indian reverses against China in November, 1962. As a result of the efforts made by Averell Harriman, the United State Assistant Secretary of State Duncan Sandys, the British Secretary of State for Common Wealth relations, the Prime Minister of India and the President of Pakistan in a joint communiqué agreed that "a renewed effort should be made resolve the outstanding differences between their two countries on Kashmir and other related matters." Between December, 1962, and May, 1963 six rounds of talks were held between India and Pakistan on the Kashmir issue, but no agreement was reached. India reverted to its intransigent line.

For over 16 (68) years India has flouted her international undertakings and broken her pledges. She has subjected the people of Kashmir to a corrupt and vicious tyranny and denied them the right of self-determination. She has killed, imprisoned, and tortured the patriots of Kashmir. Sheikh Abdullah, whose support was paraded as the moral justification for India's provisional acceptance of the Maharaja's offer of accession, was kept in prison for eleven years, his only

crime being his demand for self-determination for his people (I doubt, Plebiscite front was actually founded to restore and safeguard autonomy- Muhammad Qasim). This demand voices the innermost sentiments of the people of Kashmir that nothing can suppress.

Shortly before Pandit Jawaharlal Nehru's death in May, 1964, Sheikh Abdullah and his companions were released and it looked for a brief moment as if the great wrong that had been done to the people of Kashmir and their leader might be set right. With Nehru's consent, Sheikh Abdullah come to Pakistan in an endeavor to bring India and Pakistan together for a peaceful solution of the Kashmir question. In Pakistan he received a memorable welcome, but before he had completed his visit Pandit Nehru died. Nehru's successor, Lal Bahadur Shastri, at first appeared not to stand in the way of Sheikh Abdullah's peace initiative, but he soon moved in the opposite direction and started integrating Indian-occupied Kashmir into the Indian Union. Over the years the 'special status' accorded to the state of Jammu and Kashmir in the Indian Constitution was eroded bit by bit, until practically nothing of it was left. In December, 1964, the Government of India decided to extent the scope of certain provisions in the Indian Constitution to Jammu and Kashmir so as to effect the integration of the state by decree. When Sheikh Abdullah returned to Delhi after a pilgrimage to Mecca in May, 1965, he was immediately

arrested for speeches he had delivered abroad pleading for Kashmir's right of self- determination and was put in detention for an indefinite period.

These actions of the Indian government inevitably produced a strong reaction in Kashmir and worsened relations between India and Pakistan. During the border dispute between the India and Pakistan in the Rann of Kutch area, India attacked and occupied three Pakistan posts at Kargil across the cease-fire line in May, 1965. This serious violation of the cease-fire line in Kashmir was only rectified after a strong protest made by the UN Secretary General on August 9, 1965, the anniversary of Sheikh Abdullah's dismissal and arrest in 1953, there were reports of a wide spread revolt in Indian –occupied Kashmir, which led to clashes between the Indian armed forces and the patriots of Kashmir. The Government of India alleged that this was the work of armed personnel who had infiltrated from Azad Kashmir across the cease-fire line with the connivance of the Pakistan government. The allegation was denied by the Pakistan government who contended that a fight for freedom from the Indian yoke was being waged by the people of Kashmir aided by their brothers in Azad Kashmir. These accusations and counteraccusations brought bitterness between India and Pakistan to a new pitch of intensity. On August 15, Indian force crossed the cease-fire line and reoccupied the three posts at Kargil.

There was fierce fighting all along the cease-fire line. In a large-scale attack in Uri-Poonch sector, the Indian forces captured Haji Pir Pass. A village in Gujrat district, West Pakistan was shelled on August 23. To forestall an attack in the vital southern sector, Azad Kashmir forces supported by the Pakistan army moved across the cease-fire line into the Chhamb area on September 1 and made a rapid thrust toward Akhnur, thus threatening Jammu and the Indian lines of communications. The Indians threw their air force into the attack and air battles began.

In the early hours of September 6, Indian forces crossed the international boundary between India and Pakistan and launched a three pronged surprise attack of Lahore, the capital of West Pakistan. Against this naked aggression the President of Pakistan invoked the right to self-defense under the UN Charter and declared war between India and Pakistan. In the face of heavy odds, the Pakistan army and air force fought with superb courage and military skill and halted the attack on Lahore. Bigger and fiercer battles were fought in Sialkot district, West Pakistan, which the Indians attacked with a large force including an armored division. One of the biggest tank battles since the Second World War was fought in this area. The Pakistan army was outnumbered by three to one and yet succeeded in holding the Indian offensive and driving the enemy back. The small but highly efficient Pakistan air force took a have toll of the much bigger

Indian air force and having gained command on the air, was able to give splendid support to the ground forces. The Pakistan navy also came into the action and in a daring rate demolished the Indian military base at Dwarka.

The Security Council was most seriously concerned. On September 4, the UN Secretary General made a fervent appeal for a cease-fire and withdrawal of armed personal that was endorsed by the Security Council in its resolution of September 4 and 6. On September 9, the UN Secretary General flew to Pakistan and India to negotiate peace, but without success. There was danger of a wider conflagration, when China gave an ultimatum to India to vacate its aggression against Chinese territory across the Sikkim border.

On September 20, the Security Council passed a resolution demanding that a cease-fire should take effect on September 22 followed by a withdrawal of all armed personnel back to the positions held on August 5, 1965. The resolution went on to say that thereafter the Security Council would consider "what steps could be taken to assist towards a settlement of the political problem underlying the present conflict." That problem is none other than the Kashmir dispute, as the whole world knows. And it is because India is stubbornly resisting a plebiscite in Kashmir in defiance of the UN Commission for India and Pakistan resolutions of August 13, 1948, and

January 5, 1949, that the dispute is still unresolved. The cease-fire become effective on the morning of September 23, 1965, and at the time of writing (October, 1965) there is an uneasy truce.

Every possible method of resolving the dispute has been tried. There has been international mediation. There have been proposals for arbitration. There have been direct negotiations between the governments of India and Pakistan at the highest level. Nothing has worked. World opinion has expressed itself unmistakably that India is in the wrong. The Kashmir dispute is the most vital and dangerous dispute between India and Pakistan. It is an ever present threat to the peace of the subcontinent of the world. But ignoring every consideration of justice, morality, and international peace, India continues to hold Kashmir by force and to deny the people of Kashmir their right of self-determination. The people and the Government of Pakistan are resolved to persist in their endeavor to secure for the people of Kashmir their right to decide whether to accede to India or Pakistan. The people of Kashmir through all these long years of suffering have not reconciled themselves to Indian tyranny. Their brave struggle against Indian occupation will go on until they have won their cherished goal of self-determination.

Notes:

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Article – 2

THE PEOPLE: DIVIDING J&K INSTIGATING THE KASHMIR DISPUTE

Introduction

In 1947, people in Jammu Province engaged in three major actions that divided Jammu and Kashmir and confirmed that the princely state was not deliverable in its entirety to India or Pakistan. The first was a pro-Pakistan, anti-Maharaja uprising by Muslim Poonchis in western Jammu that 'liberated' large parts of this area from the Maharaja's control. The second was major inter-religious violence in the province that caused up upheaval and death, including a possible massacre of Muslims. The third was the creation of the Provisional Azad (free) Government in areas liberated or 'freed' by the Poonch uprising. This region soon popularly became known as 'Azad Kashmir'.[1]These three actions all occurred during the ten-week interregnum between the creation of India and Pakistan on 15 August 1947 and Maharaja Hari Singh's 'accession' to India on 26 October 1947. Each was initiated, and then largely under taken, by J&K state

subjects–local people of J&K who had a legitimate right to be in the princely state. The only exception was the inter-religious violence, which, while initiated by state subjects, also was fuelled by the arrival of refugees, external and internal, moving into or through Jammu Province, especially via the Sialkot-Jammu-Pathankote corridor.

The Jammuites' three actions of 1947 were highly significant. They caused a large number of deaths, many casualties and much dislocation. They divided Jammu Province politically, physically and militarily into pro-Pakistan and pro-Indian areas. They instigated the ongoing dispute over J&K's international status– the so-called Kashmir dispute– before Maharaja Hari Singh's accession to India. Indeed, as the evidence below shows, the dispute over whether J&K should join India or Pakistan began almost immediately after 15 August 1947 and was well under way in September 1947. During the short, post-Partition, British-free, pre-accession period, Hari Singh struggled to prevent the princely state's physical and political disintegration. He failed. When the Maharaja accessed to India on 26 October 1947, his armed forces had lost control of large parts of 'his' princely domain. By then, J&K was a divided state. [2]

While the Jammuites' post – partition actions in 1947 were significant, we know little about them. This is partly because India, specially, and Pakistan have generally ignored them. Since 1947, India has consistently

claimed that all of the violence that occurred in J&K only began after, and as a result of, the invasion of Kashmir Province on 22 October 1947 by 'outsiders, Muslim Pukhtoon tribesmen from Pakistan.[3] Unable to deflect India's accusations of being involved in Pukhtoons' invasion, Pakistan acquiesced in India's tactic. Pakistan could have countered India's accusations by publicizing the actions taken in J&K by 'insiders' state subjects in Poonch are violence against Muslims, but it chose not to. This is why it is important to discuss the Jammuites' actions in 1947.

There are serious information gaps concerning these events. Few scholars have discussed the Poonch uprising or the creation of Azad Kashmir in any depth. People have been reluctant to delve into the embarrassing inter- religious violence in Jammu in 1947. Consequently, we know little about the violence committed against Muslims in eastern Jammu–not to mention significant violence committed against Hindu's and Sikhs in western Jammu. While I have sought to use primary sources where possible, some of the information presented below may be post factum justifications for actions and atrocities committed against, or by, 'the other community'. Equally, some suggests official involvement in violence. Overall, the evidence below confirms the Jammuites' three actions: the Poonch uprising, inter-religious violence and the creation of Azad Kashmir. It

shows that these actions were under way before the Puktoons' invasion of J&K. Indeed, the Jammuites' actions may have partially inspired that invasion.[4] Most important, the evidence confirms that the people of J&K–and not outsiders–instigated the Kashmir dispute.

Events in Jammu: volatile, poorly reported, ignored

The British departure from the subcontinent in August 1947 caused two significant changes in J&K. the ramifications of these changes impacted on Jammu Province most of all. First, Maharaja Hari Singh lost his guarantor, the British. No longer could he impose his will, almost with impunity, on the people of J&K knowing that the British would support him or, at worst, ignore his actions. Nor could he rely on the (British) Indian Government to control subcontinental politicians, particularly in the Indian National Congress, and neighboring populations, particularly Punjabi Muslims wanting to politically or physically assist J&K Muslims. Nor could he called on the support of (British) India's military to quell internal uprisings, as he had done in 1931,[5] or to police J&K's porous borders and keep out intruders. Instead, Hari Singh came under increasing pressure from the new leaders of India and Pakistan over the accession issue, over the welfare of the people of J&K, and over the release of each dominion's respective political surrogates then languishing the J&K jails.

A further result of the British departure was that the Maharaja was placed in a position where, in a volatile and increasingly insecure environment, he was charged with determining J&K's future status. This decision took on added significance after Muslim-majority Pakistan and secular (but Hindu – dominated) India were created. Partition confirmed that Hari Singh was now British- free– and on his own. Equally, it created expectations among the people of J&K that soon they also would be joining one of these new dominions. Their expectations were heightened when, by 15 August 1947, almost all of the rulers of princely India had made accessions to India or Pakistan. This, in turn, put further pressure on Hari Singh to make an accession.

In J&K, the partition process and its impacts affected Jammu Province most of all. This Province was contiguous to Punjab, where violent and brutal inter-religious activity was occurring. Millions of Hindus and Sikhs were moving eastwards from the new dominion of Pakistan to India while, conversely, Muslims from India went westwards to Pakistan. Some of these dislocated souls travelled via a major land route that ran from Sialkot, through Jammu City, to Pathankot, thus connecting the two new dominions. The presence of these refugees and their harrowing stories further agitated Jammuites' who, like their Punjabi neighbors, were highly volatile throughout 1947. However, unlike

the Kashmir and frontier Districts province where Muslims comprised an overwhelming majority, Jammu Province had a Muslim majority in the west and a Hindu majority in the east. The majority–and minorities – in each area were very restive in 1947; if their post-partition activities are any indication, Jammu Province was the province whose residents had the most divisive political inclinations in J&K in 1947, Muslims acutely wanted J&K to join Pakistan; non – Muslims, comprising Hindu and Sikhs, strongly favored Union with India.

After 15 August 1947, pro- Pakistan and pro-Indian elements in Jammu Province engaged in considerable violence. Much of this was not widely reported, even though the violence in Jammu may have been worse than in Punjab, where perhaps up to one million people were killed.[6] comparatively speaking, as a percentage of the relative populations involved, deaths in Jammu Province may have been greater. [7] Despite this, many subcontinental news papers, even if they were aware of event in Jammu Province, chose not to publish stories about violence there. There were two reasons for this lack of reporting. First , communications to and from J&K were disrupted by events in newly- divided Punjab.[8] second, subcontinental attention was focused on the well- reported communal events occurring in Punjab, or Bengal. In Calcutta, for example, stories about the 'large-scale insurrection by the tough Muslim peasants…around

Poonch' were rarely published in news papers because there was a lot happening there and this insurrection was 'important but remote'. Furthermore, to have published stories about a possible Muslim Massacre in Jammu might have incited further bloodshed and started ' once more slaughtering one another'.[9] This is plausible, given the widespread religious volatility throughout northern parts of the subcontinent in 1947.

In relation to J&K, attention was focused on Kashmir Province, particularly Srinagar, and not Jammu Province. Maharaja Hari Singh was residing in J&K's summer capital pondering his accession; many political leaders were in jail there. Traditionally, most political activities took place in J&K's largest city, Srinagar, where the warm summer weather was more conductive to action than winter months when Jammu City was J&K's capital. Reporting was easier from Kashmir Province also because of its compactness and better roads to, and communication with, metropolitan India, particularly where the all-weather Jhelum Valley Road. Owning to Srinagar's size and Kashmir's prestige, which the presence of many foreign, heat- averse holidaymakers enhanced, Kashmir Province invariably received better press coverage. Conversely, Jammu Province drew few tourists and few journalists, particular to areas outside Jammu City. The southern province was even less attractive when the Maharaja's was not in residence in Jammu City. Poor

roads and communications also made it difficult for journalists to travel in, and report from, Jammu Province.

Another reason why the Jammu events were poorly reported in 1947 was that the Maharaja's Government suppressed, adulterated or hindered news collection and reporting activities. Hari Singh's administration was waging a 'ceaseless war against newspapers and Journalists [sic] that [we] re in favour of Kashmir's accession to Pakistan'. By 7 October 1947, it has imposed 'rigorous precensorship on all news and views' published in at least in four local 'leading' newspapers; it had banned the entry of four daily news papers from West Punjab, and forced the 'Muslim "Kashmir Times" to cease publication'.[10] after instructing its editor 'not to publish matter advocating Kashmir's accession to Pakistan'.[11] The news paper suspended in publication in protest. In early October the Maharaja's Government interned the correspondent for Associated Press of India (API), a major source of news about J&K.[12]On 21 October, Lahore's *Civil and Military Gazette,* which often took API reports, pointedly rebuked the J&K Government for its 'censorship of news in Kashmir when reports were in circulation of severe repressive measures adopted by the military forces of the state in Poonch'.[13] in a crude form of censorship, J&K's former Prime Minister, Ramchandra Kak, a possible advocate of accession to Pakistan, was prevented officially from leaving Srinagar as

his departure was 'likely to prove prejudicial to the interests of the State'.[14] With such influential and well-informed individuals constrained, significant events in J&K concerning lesser-known people received scant, or no, coverage.

Another reason why little has been written about the major events in Jammu Province in 1947 is Indian and Pakistani neglect. They, and their governments, have been engrossed in their war of words over J&K rather than factually determining what —or who—instigated the Kashmir Dispute. Indian analysis of J&K invariably begins, with, or conveniently focuses on Pakistan's 'aggression by force' in J&K that started when Pakistan 'attacked' J&K on 22 October 1947 using Pukhtoon tribesmen.[15] It then deals with the international aspects of the Kashmir dispute or discusses the Kashmir Valley and its important coterie of pro-Indian Muslims, where India, initially at least, appeared in a better light then Pakistan. Jammu Province is rarely discussed. Generally speaking, Pakistanis are uninterested in what happened in Jammu Province in 1947. Rather they focus on the pro-Pakistan action in Gilgit in November. [16] the India and Pakistan governments also have political reasons for ignoring, negating or even denying the events that occurred in Jammu Province in 1947. Nevertheless, the evidence below confirms that the Poonch uprising, the

inter-religious violence in Jammu Province and the formation of Azad Kashmir all occurred.

The evidence: The Poonch uprising

The Poonch uprising has been 'glossed over in virtually all accounts of the origins of the Kashmir dispute'. [17] This serious and significant anti- Maharaja uprising by Muslims living in the jagir of Poonch was a response to a number of factors. These included their dislike of the Hindu Maharaja and his repressive regime, their need to obtain protection from some anti- Muslim activities that the Maharaja's army engaged in soon after partition, and their desire for J&K to join Pakistan. Additional factors included the provocative stationing of Dogra forces in Poonch in 1947, the 'invasion of Jammu by Sikhs' and other militant non-Muslims after partition,[18] and disenchantment with corruption surrounding an unpaid per capita grant for personnel who had served in the Indian Army or the labour corps during World War-2.[19] Poonchis, the vast majority of whom were Muslims, were also disenchanted with the dual system of autocracy and heavy taxation inflicted on them by the Maharaja and their local Raja. Similarly, disgruntled unemployed Poonchi men developed 'hatred for the person and the rule of the Maharaja' because Muslims were unable to enlist in the J&K army, despite its recruiting of an additional four battalions. [20]

A further factor concerned the Poonchis' weakening ability to defend themselves. Hari Singh was aware that many more Poonchis and Mirpuris had military capabilities and experience than the numbers serving in his army. He also had been 'specially impressed and alarmed' by a gathering of some 40,000 men, 'almost all ex-Servicemen of the British Army from Sudhnutti and Bagh Tehsils of Poonch, assembled to greet him on April 21, 1947 at Rawalakot' during his tour of the 'frontier areas' of J&K.[21] In July 1947, the 'spooked' Maharaja's Government 'encouraged' military-capable Poonchis and Mirpuris to disarm, [22] Including those 'on leave with arms and ammunition' from the Pakistan Army.[23] These Muslims then became 'alarmed' when the J&K police, with whom they had deposited their arms, redistributed these to Sikhs and Hindus for self-defense.[24] Their alarm was understandable, given the inter- religious violence then occurring in Punjab.

A further factor motivating Poonchis was the creation of Pakistan and the Maharaja's reaction to their support for it. The transfer of the British power of the new dominions of India and Pakistan, coupled with Hari Singh's vacillation on the accession, inspired much interested, even fervour, among the people of J&K. in Poonch, many people were already identifying themselves with Pakistan. From 14 August, the day before Pakistan became a legal entity and a physical reality pro-

Pakistan, anti-Maharaja meetings took place in Poonch, even though public meetings were banned. Many Poonchis declared their desire for J&K to join Pakistan, particularly on 'Pakistan Day' (14 August 1947) when they raised Pakistan Flags and supported the Muslim Conference's (by now unequivocal) pro-Pakistan stance.[25] Poonchis were pro-Pakistan partly for reasons of religious solidarity. Additionally, some repressive measures undertaken against them by the Maharaja's army and anti-Muslim elements, particularly Sikhs,[26] convinced them that 'if they did not rise in revolt, they would be massacred or pushed into Pakistan'.[27] This was plausible, given the concurrent large-scale inter-religious bloodletting in Punjab and religious tensions in Jammu.

Motivated by these various factors, disgruntled Poonchis engaged in actions against the Maharaja to protect themselves. Anti-Maharaja activity possibly commenced as early as February 1947, [28] and almost certainly was occurring by June 1947,[29]when Poonchis mounted a 'no tax' campaign.[30] A press note issued on 12 September by the J&K government confirms this campaign: 'Early in August in … Poonch Jagir, evilly disposed persons launched a violent agitation against the administration of the Jagir in favour of civil disobedience and No Tax Campaign'.[31] The Muslim unrest may also have included a 'no rent' element, a distinct possibility, given the Poonchis' grievances over land.[32] The Maharaja

and his armed forces moved to suppress this campaign. Around 15 August, they may also have begun to repress Muslims, by killing them or by forcefully disarming them. A 1948 publication stated that 'hundreds' of people in Bagh, a district in Poonch, were killed at a hoisting of the Pakistan flag to celebrate Independence Day.[33] Two short telegrams to Jinnah on 29 August from the 'Muslims of Poonch' and the 'Muslims of Bagh' also spoke of anti-Muslim brutality by the Maharaja's forces around the same time.[34] The Muslim Conference politician who became the foundation President of Azad Kashmir, Sardar Muhammad Ibrahim Khan from Rawalkot in Poonch, was quoted by a 1949 publication as stating that the Maharaja had unleashed a 'reign of terror' on 24 August 1947 that killed 500 people.[35] While the number of the casualties cannot be confirmed, 'shoot-on-sight' orders were apparently issued to army officers on 2 September 1947.[36]

The reaction of the ruler's predominantly Hindu army to Poonch Muslims' pro-Pakistan activities boosted the anti- Maharaja 'cause' in Poonch and incited Poonchis to take further actions. In responses to incidents around Poonch that invariably involved Muslims, the Maharaja's army fired on crowds, burned houses and villages indiscriminately, plundered, arrested people, and imposed local martial law.[37] Indeed, because 'trouble continued … the State forces were compelled to deal with

it with a heavy hand'.[38] Until such oppressive actions, the anti-Maharaja cause probably had little backing.[39] 'Substantial men' told Symonds that 'they would never had joined such a rash enterprise' opposing the Maharaja 'but for the folly of the Dogras who burnt whole villages where only a single family was involved in the revolt.'.[40] Such 'folly' motivated some Poonch Muslims to organize a people's resistance movement. Towards the end of the August, it became an armed revolt.[41] Sardar Abdul Qayyum Khan, twenty- four years old and with Indian Army military experience,[42]apparently 'set the [military] ball rolling in Kashmir.[43] 'In six weeks the whole district except Poonch city itself was in rebel hands'.[44] (While these pro-Pakistan forces continued to retain this area after the accession to India, they were never able to capture Poonch City.) in response, the Maharaja's army mounted an offensive in September and October 1947 against Poonchis 'who had shown some rebellious activities', and against Muslims in the predominantly Dogra areas of Jammu Province.[45]

Hari Singh, in a move that portended or inspired a similar stance by India, blamed Pakistan for his problems in Jammu Province. He accused the new dominion on 4 September of infiltrating fully armed men into J&K, and in early October of mounting an economic blockade that deprived J&K of vital supplies, Pakistan denied both charges.[46] While the J&K armed forces realized that local

men were doing the fighting, they believed that the 'trouble was being fomented by infiltration of armed gangs from Pakistan'.[47] Nevertheless, the J&K government could provide little solid supporting evidence, nor could the Indian Government do so respectively. Its 1948 white paper on Jammu and Kashmir provided only one piece of hard evidence of cross-border activity (although an official 1949 Indian publication find twenty-five insistence between 3 September and 20 October 1947).[48] the author of the report in white paper was significant: Major-General Scott, the long-term Chief of the staff of the J&K State Forces.[49]on 4 September 1947, he reported to the J&K's Deputy Prime Minister that 'Reliable reports' from unnamed informants stated that 'a band of up to 400 Sattis—Muslim residents mainly in Kahuta Tehsil of Rawalpindi District' were infiltrating J&K 'in the area of Owen, eleven miles east of Kahuta', with the purpose of 'looting and attacking minority communities'.

Scott's report of cross-border activity may have been accurate—there almost certainly was some support for Pakistanis for J&K Muslims. Equally, borders were porous in 1947, with many cross- border connections between people and little military patrolling. While 'Satti's' were Pakistanis tribesmen, they could have been mistaken for Poonchis or Mirpuris, who were of similar Punjab ethnicity, [50] perhaps returning home from visits or

stays in Pakistan or fighting with guerrilla bands using Pakistan for sanctuary. Many Poonchis and Mirpuris worked in nearby city such as Lahore and Rawalpindi. In addition the J&K-Pakistan border was very porous southwards from around Mirpur. It no longer enjoyed the natural divide of the Jhelum River; instead, it was an artificial line that superficially separated the northern end of the Punjab plains into Pakistani and J&K territory. A number of large Pakistani towns located near this border, including Jhelum, Gujrat and Silkot, were closer to Manipur than Jammu City. Similarly, Poonch was closer to Murree and Rawalpindi, than to Jammu City or Srinagar. Furthermore, strong cross-border links enabled J&K locals to strategically 'retire' to Pakistani territory when needing to avoid the Maharaja's forces or to obtain succour and support.[51] Equally, the porous border allowed 'raids into Pakistani territory by armed Dogra gangs and non-Muslim refugees', as Pakistan claimed was happening in October 1947.[52]

It is unlikely that Pakistanis were creating all of the Maharaja's troubles in western Jammu. Indeed, a number of factors suggest that the Poonch uprising was an indigenous affair. Pakistan was fully occupied dealing with the almost overwhelming physical, administrative and emotional ramifications of partition. Any Pakistani support or leadership for Jammuites was probably not officially sanctioned. Rather, Punjabi or NWFP Muslims,

with whom Jammu Muslims had close ethnic, familial, cultural, geographical and economic links, would have provided support on that basis. For example some 'sudhans' from Poonch considered themselves to be 'sudho zai Pathans' (Pukhtoons), which, for them, explained why 'the Pathans lost no time' coming to help J&K Muslims.[53] Furthermore —and importantly —Poonch Muslims had the capability, given their military abilities and experiences, and the intent, given their anti-Maharaja grievances., to foment and sustain anti-Maharaja actions themselves. They did not need any Pakistani encouragement or assistance.

Geography also suggests that the Poonch uprising was an indigenous affair. The region that Poonchis inhabited was a remote, highland area difficult to access. The Jagir was east of the border created by the Jhelum River, which, flowing southwards from a point west of Muzaffarabad to near Mirpur town, physically separated Pakistan and J&K. Poonch was much higher and more difficult to enter than the undulating Mirpur lowlands at the end of the Punjab plains. After crossing of the Jhelum at Kohala, 'the mountains of Poonch rise very steeply'.[54] Furthermore, a person seeking to enter Poonch surreptitiously needed to secure transport to cross the swift-flowing Jhelum and avoid Kohala bridge, which the Maharaja's armed forces guarded. These forces made the task even more difficult when they 'cut off Poonch from

direct communication with Pakistan' by destroying the six ferries that facilitated Jhelum crossings.[55] Outsiders wanting to enter Poonch and create 'mischief' therefore needed to engage in a degree of planning and logistics, and to have some local knowledge and support —factors unnecessary for crossing the porous southern part of the Pakistan-J&K border.

After Muslims in western Jammu rearmed in August, they initially fought the Maharaja's force locally until some leading Poonchis organized them into an 'army'. Poonchis had begun preparing to retaliate after the ruler's brutal suppression of their 'No Tax; Campaign. They started to rearm themselves in August, chiefly by purchasing weapons from NWFP arms bazaars.[57]Thereafter, some sectors were organizing for fighting the Dogras', but mostly the anti-Maharaja struggle 'consisted of the uncoordinated efforts of each village, with its own band of guerrillas, taking care of the immediate military requirements'.[58]

These small, distant and often disparate 'village bands'[59] were frequently commanded by all power-full, self-promoting local leaders who, in some case, promoted themselves up to the rank of field marshal. [60] In early September Sardar Ibrahim and others began to form a unified command post in Murree to direct these various irregular people's forces. This nearby hill station was strategically, and safely, located in Pakistani Punjab on

the main Rawalpindi Srinagar road, part of which bordered Poonch. Ibrahim and his organizers received help from a number of forces including sympathetic Muslim soldiers in the J&K Army, ex-Indian National Army officers; ex-Indian Army officers; and, as the Maharaja had long suspected, members of Pakistan's army and its bureaucracy and other Pakistani volunteers. It is uncertain if the Pakistan's assistance was sanctioned at senior level. Once fully organized, this motivated military force would pose the Maharaja, then India, significant problems.

According to Sardar Ibrahim, during September 1947, some 50,000 men were organized into a people's militia variously known as the 'Azad Army', [61] 'Azad Forces' or 'Azad Kashmir' Regular Forces'. This locally-officered volunteer 'army' comprised 90 per cent ex-servicemen, except in Bagh, where the percentage was lower.[62] A 'very small percentage of Pakistani volunteers' fought with them,[63] as may have twelve women.[64] According to the Azad Kashmir Defense Minister, Colonel Ali Ahmed Shah (a former captain in the J&K State Force), the Azad forces had been recruited locally or had risen spontaneously'.[65] They comprised 'seasoned troops' with experience fighting in both World Wars and the serious 'Waziristan Operations' (1920-21).[66] After Azad Kashmir came into being, its 'Defense Council' assumed administrative control of 'Azad Jammu and Kashmir

Forces'. This council comprised seven members: two ministers (Defense, Finance); one bureaucrat (Defense secretary); two soldiers (commander-in-Chief, Chief of staff), and two 'public representatives' (members of the Muslim Conference).[67] 'Soldiers' were paid Rs. 10 per month from accumulated donations, although many men apparently refused wages.[68] Clothing came from donations from local supporters and Pakistanis. The 'main problem' was a lack of arms, with some soldiers fighting with 'axes, spears and swords'.[69] Most used arms and ammunition 'captured from the enemy in major and minor engagements' or obtained from Muslim deserts from the Maharaja's army .[70] Communications were an issue, with men fighting 'in separate groups and many fronts … [with] no links with each other'.[71] Couriers carried messages between Muzaffarabad and Bagh; elsewhere post and telegraphic exchanges went via locations in Pakistan.[72]

Initially confined to Jammu Province, the Azad army's area of operation expanded into Kashmir Province. The Frontiers District Province was omitted because 'the Gilgit organization was separate', [73] with the Gilgit's Scouts already including pro-Pakistan dissidents. Following their uprising, Pakistan sent a 'Political Agent' to the Gilgit area on 16 November 1947.[74] The Azad Kashmir region was thus confined to the 'librated' areas of Jammu and Kashmir provinces. This comprises two

sectors; Jammu to Bhimber, Bhimber to Muzaffarabad. After about three months, the Azad Army was united under the leadership of 'General Tarik', by which time its enemy was Indian forces.[75] Tarik subsequently identified as Colonel Akbar Khan, a Pakistan army regular determined to deliver J&K to Pakistan. In 1951 Khan, now a major-general and some co-conspirators attempted to over through the Pakistan Army high command which they considered complacent in pursuing J&K's liberation. They were court-martialled in the 'Rawalpindi Conspiracy' case.[76]

Benefiting from shorter supply lines, rugged terrain, local knowledge and support, and high morale, the Azad Army built on the Poonch uprising to further oppose the Maharaja.[77]By 22 September 1947, the Azad Army's military structure was functioning so well that Major-General Scott reported that the Maharaja's armed force were losing control over large parts of the J&K.[78] The Maharaja's opponents were doing well, despite 'miserably' lack [ing] a regular line of communication, and a regular supply of arms and ammunition'.[79] By mid-to-late October, they controlled large parts of Poonch and Mirpur, while much of Muzaffarabad tehsil was being cleared of non-Muslim elements, including 'Sikhs, Dogras and R.S.S [Rashtiya Swayamsevak Sangh] cut-throats'.[80] This latter activity mirrored anti-religious violence occurring in Jammu.

The Azad Army's success was significant: when Pukhtoon tribesmen entered Kashmir Province on 22 October 1947, most of western Jammu Province had already been liberated from the Maharaja's forces.[81] Two days after the Pukhtoons' invasion —as India correctly called it—and possible prompted by it, some anti-Maharaja elements in Poonch and Mirpur managed to form a government in the area outside the Maharaja's dwindling control. On 24 October 1947, they formed the provisional Azad government. This followed an unsuccessful attempt to form a similar body early that month (discussed below). This 'government' came into being two days before Maharaja Hari Singh's accession to India on 26 October 1947.

From 4 September 1947, newspapers started reporting an uprising in Poonch. These included *CMG* (4 September and 2, 5, 19, 21 October 1947); *The Times* (8 September and 25, 30 October 1947); and *TOI* (15, 17,19,20,26 October 1947). On 8 September, *The Times* stared that, according to 'unconfirmed reports', Muslim demonstrators in Poonch had 'been involved in clash with Hindu troops of the State force, large numbers being killed'. [82] On 2 October, *CMG* carried a copy of telegram from the Kashmir association, in Lahore, to Muhammad Ali Jinnah asking him to intervene because Muslims in Poonch were being 'butchered' and because Muslims elsewhere were 'greatly harassed by Dogra atrocities'.[83]

CMG carried a statement on 19 October 'the government of Kashmir' that confirmed trouble in Poonch allegedly assisted, but not instigated, by Pakistan: 'Disturbances aided by armed people from the Pakistan dominion in the Poonch and Mirpur areas have been reported for some days; These had been 'causing hardships to law-abiding people; but the 'situation in now fully under control'.[84]

Two days later—and with the situation not under control– *CMG* reported details of the telegram from the J&K government to Pakistan. The telegram complained about atrocities committed against 'Kashmiris' by Pakistanis and 'difficulties created for the Kashmir Government by the Pakistan Government'.[85]This ignored the antagonistic role played by the Maharaja, and the role played by local, disenchanted anti-Maharaja Muslim elements in Jammu. By 28, October, *CMG* editorialized that:

> With regard to Kashmir, it is an established fact that killings and burning in Poonch started long before the 'invasion' of Kashmir along the Jhelum road by tribesmen from the north-west. The presumption may be that neither India nor Pakistan had any standing 'vis-à-vis' the happenings in Poonch, these being an 'internal affairs' in the hands of the Kashmir Government. [86]

CMG was in no doubt as to the sequence of events in relation to this 'internal affairs'. Other press reports confirmed the role of Muslims in Poonch and Mirpur. On 25 October, *The Times* reported that 'in recent weeks' friction in J&K 'had taken the form of armed rebellion against the Maharaja by the Muslim peasantry of the western districts of Poonch Province [sic; it was a district of Jammu]'.[87]The report continued that 'rebellious Muslims of the Bagh district [sic; it was a tehsil] …have succeeded in forcing the Kashmir state troops (mainly Hindu Dogras) to withdraw to the town of Poonch'. An editorial in *The Times* on 30 October reiterated this report: an 'insurrection broke out among the Muslim tribesmen of the western province [sic] of Poonch, the rebels protesting against the [Maharaja's] presumed intention to adhere to India'.[88] Sheikh Abdullah, whose party many Poonchi Muslims strongly opposed, confirmed in New Delhi on 22 October the 'present troubles' in Poonch: 'The people of Poonch … had started the people's movement for the redress of their grievances. It was not communal. The Kashmir state sent their [sic] troops and there was panic in Poonch … the present position as that the Kashmir State forces were forced to withdraw in certain areas'. [89] this important statement by J&K's leading politician was made on the day that Pukhtoon tribesmen entered J&K. This news would reach New Delhi a few days later.

By 28 October 1947, the Pukhtoons' invasion was being widely reported. In a portent of ongoing attempts to ignore or deny the Poonch uprising, all anti-Indian forces fighting in J&K thereafter were usually described as 'raiders'. The (incorrect) connotation was that all of them were from outside J&K. Nevertheless, on 28 October *The Times*, while referring to the anti-Indian 'raiding forces', was still able to identify four elements among the 3,000 or so 'Muslim rebels and tribesmen' in J&K: 1) 'Muslim League agents and agitators for Pakistan'; 2) 'villagers who have raised the Pakistan flag and attacked Kashmir officials'; 3) 'Pathan [Pukhtoon] tribesmen'; 4) 'Muslim deserters from Kashmir State forces who have taken their arms with them'.[90] Given that the Muslim League had no branch in J&K, the first element may have been local pro-Pakistan Muslim Conference politicians and members. The second element certainly comprised people who were J&K state subjects, as almost certainly were members of the fourth element. These residents of J&K had every right to be in the (disintegrating) princely state, unlike the first and third elements. These state subjects also had commenced their anti-ruler activities well before the Pukhtoons invaded Kashmir Province on 22 October 1947.

Given the increasing use of the term 'raiders' to connote all anti-Maharaja, anti-Indian elements fighting in J&K after the Pukhtoons' invasion, it is important to

deal with the issue of 'state subjects'. State subjects, such as Poonchis, Mirpuris, Kashmiris, Gilgitis and Ladakhis, were the only people who had any right to live and own immovable property in the princely state of Jammu and Kashmir. There unique status arose as a result of some local unease with 'outsiders'—educated and trained Punjabi Hindus—whom Maharaja Hari Singh and his uncle, Pratap, had employed in their administrations, including higher levels. Maharaja Pratap Singh 'imported' the Punjabis to fill a void in trained personnel when he reorganized his bureaucracy along 'modern lines'.[91] The Punjabis 'presence in J&K was unpopular: it hindered local peoples' ability to obtain civil service positions, particularly those in the small, well-educated Hindu Pandit community. In 1889 Pratap changed the official court language from Persian to Urdu, thus (temporarily) disadvantaging Pandits trained in Persian.[92] After an anti-Punjabi agitation that began as early as 1910 under Pratap, Hari Singh passed a law in 1927 that specifically defined a state subject [93] and four classifications within this.[94] This satisfied local residents by limiting the ability of outsiders to live and work in J&K. It also, meet that anyone who was the state subject had a legitimate right to be in J&K. (Equally, Hari Singh used this law as device to assert his control over land: after 1928, only state subjects could purchase non-movable property in J&K.)[95] Therefore Poonchis and Mirpuris who opposed the Maharaja were not raiders or outsiders, as this term

connotes. They were local J&K citizens with every right to be in the princely state.

The evidence above shows that there was significant Muslim unrest and anti-Maharaja activity in the Poonch area after 15 August 1947. While these J&K Muslims may have received some help from people and relations in Pakistan, they had sufficient local grievances and adequate indigenous capabilities to mount, and then sustain, their significant anti-Maharaja activity. The action of these state subjects certainly predated the intervention of outsiders (Pukhtoons) into Kashmir Province on 22 October 1947.

The evidence: a 'massacre' of Jammu Muslims

Significant inter-religions violence took place in Jammu Province in 1947. Pro-Indian Hindus and Sikhs murdered and harmed Muslims; pro-Pakistan Muslims harmed and murdered Hindus and Sikhs. Although Indians and Pakistanis have largely ignored this violence, the evidence below suggested that non-Muslims killed large number of Muslims in Jammu around October 1947. Equally, many Jammu Muslims fled to safer areas nearby in Pakistan or to western areas of Jammu Province controlled by pro-Pakistan Poonchis and Mirpuris. There were about half a million such Muslim refugees. Conversely, Muslims killed many Hindus and Sikhs in other parts of Jammu Province and in the Muzaffarabad district of Kashmir Province.

Many non-Muslims also fled to safe areas in J&K where their community was in the majority, or to India.[96] The inter-religious violence discussed below received little attention in 1947, although it was a significant precursor to the Pukhtoon invasion.

While inter-religious violence in Jammu Province affected all communities in 1947, this section largely, but not totally, focuses on a possible 'massacre' of Muslims in Jammu's four eastern, Hindu-majority districts. This event was important: it inspired Jammu Muslims to defend themselves and to form the Azad Kashmir movement in the 'liberated' Muslim-majority areas of western Jammu Province. It also causes substantial decrease in the number of Muslims in eastern Jammu. The loss of these Muslims through death or flight to Pakistan and Azad Kashmir, plus the arrivals of Hindus and Sikhs internally displaced within J&K or to a lesser extent as refugees from Pakistan, resulted in Hindus becoming a strong majority in eastern (now Indian) Jammu. Significantly, after fighting ended in J&K in 1949, Jammu Province's reduced size, due to loss of western areas of Azad Kashmir and its net loss of population, saw the Muslim-majority Kashmir Valley become the most populous region of Indian J&K. Thereafter, Jammu played 'second fiddle' to Kashmir.

Anti-Pakistani and pro-Indian elements in J&K were responsible for the killing of Muslims in J&K. These

included: Maharaja Hari Singh and some members of his predominantly non-Muslim armed forces; local Hindu's, including right-wing RSS members; and Hindus and Sikhs displaced from other parts of J&K. These non-Muslims strongly disliked the creation of Pakistan and, by implication, Muslims in favour of this Islamic dominion, including Jammu Muslims, whom they perceived (correctly) to be pro-Pakistan. Others involved in anti-Muslim activities in Jammu Province may have been emulating events in adjacent East Punjab where large numbers of Muslims had been 'encouraged' to leave, or they were seeking revenge for Hindus and Sikhs 'cleared' from Muslim-majority areas in West Punjab. 'Thousands' of Hindu and Sikh 'refugees were pouring over the State borders from India and Pakistan daily', [97]with at least 70,000 Hindu and Sikh refugees in Jammu in early September.[98] indeed, nearly 60,000 Hindu 'Dogras and Sikhs from Gujrat district', which was close to Jammu Province, may have arrived in one week near the end of September.[99] Many of these would have been in transit from West Punjab, via Jammu and Kathua districts, to north-west India. Some of these non-Muslim refugee arrivals were 'victims of frenzied savagery'.[100]Equally frenzied, they took revenge, or inspired others to take revenge, on Jammu Muslims, particularly those more vulnerable because they lived in Hindu-majority areas in eastern Jammu Province. A further motive to attack people in these turbulent and lawless times was the

opportunity to loot, pillage and accrue booty. The creation of India and Pakistan offered a once- in- a –lifetime opportunity to exploit members of the other community or to settle old scores.

Writing in 1948, some Muslims believed there has been a plot in 1947 to eliminate them from Jammu Province and –a somewhat unrealistic idea–from all of J&K. while it is impossible to confirm this plot, these writings offer important perceptions about how Muslims felt. According to an Azad Kashmir Government publication, Hari Singh intended to seal J&K's borders and then 'massacre the Moslems [sic] of Kashmir', as per the master plan of his 'fellow tyrants' in East Punjab where '[m]illions' of Muslims 'had been massacred'.[101] Apart from their pro-Pakistan leanings, another reason for the extermination of J&K Muslims was to make room for Sikhs displaced from western Punjab and, apparently invited by the Maharaja, to make J&K their new home.[102] Any attempt to clear Jammu Province —let alone all of J&K—of its Muslims was highly ambitious. Borders were impossible to seal, while Muslims comprised 61 per cent of Jammu Province's population. Muslim were even larger majorities in the other two provinces. The only area where such an action might have succeeded was in Jammu Province's four eastern districts where Muslims comprised a 38 per cent minority and were physically vulnerable. (Equally vulnerable were Hindu and Sikh

minorities in Jammu's three western districts.) Much of the territory that comprised the districts of Jammu, Kathua, Udhampur, and Chenani Jagir was located east of the Chinab River, a significant natural division within Jammu Province. Jammu Hindus and Sikhs may have been looking to a future partition of their province along this line, or a far west as it could be pushed. Violence against Muslims in Jammu may have been an attempt to alter the religious balance to this effect.

Muslims perceived that large numbers of them were killed in Jammu Province in 1947. There is some evidence for these claims, although the bias of each document's other or organization must be considered. This paragraph discusses pro-Pakistan sources. A 1948 Azad Kashmir Government stated that:

> Killing, looting, arson and rape by the Hindu Dogra troops, R.S.S. Storm Troopers, Hindu and Sikh civilians, went on unabated in [Jammu and] Kashmir during August, September and October 1947 …No less than 200,000 Moslems men, women and children were killed. At least, twenty-seven thousand were abducted … About 200,000 Moslems refugees from Kashmir are now in Pakistan territory.[103]

Another 1948 publication discussing 'massacres' in Jammu Province has an appendix detailing ninety anti-

Muslim incidents in J&K between 8 August 1947 and 12 December 1947.[104] A tally of the death and abduction figures for the seventy-three incidents for which the publication provides figures shows that 118,459 Muslims were killed and another 13,360 were abducted in J&K during this period. At least 80,000 of these alleged Muslim deaths occurred before the Pukhtoons' invasion on 22 0ctober 1947, with all incidence related to these deaths involving 'state' or 'Dogra' troops, often assisted by 'non –Muslim civilians', that is, Hindu and Sikhs. [105] Other contemporary publications discussed or provided accounts of anti-Muslim Violence in Jammu, although none provided any figures for the number of Muslims killed or abducted.[106]

A more objective source is UNCIP's 1949 *report of the sub-committee on western Kashmir.* It started that 'Many of the Muslim refugees have lively recollections of the Jammu massacres of November 1947'.[107] Buried deep in the report was mention of *a zaildar* (revenue collector) who informed UNCIP that 'on 20th of October 1947, he heard the Maharajah, while [Bhimber] tehsil, give orders that the Muslims were to be exterminated and had seen His Highness shooting two or three.'[108] While these two occurrences in the UNCIP report were significant, the report was after the event and not for public consumption.

Newspaper coverage of anti-Muslim activity in Jammu Province began as early as 26 September 1947. On this day, *CMG* carried an isolated, but startling, API report headlined 'Exodus of Muslims from Jammu'. It stated that 'Jammu will almost be free of Muslims if the present speed of evacuation continue unchecked. It is estimated that 50,000 Muslims have migrated to the West Punjab, while nearly 50,000 [sic] Muslims start towards Pakistan every day.'[109]

Although the report did not explain why Muslims were leaving, one reason almost certainly was the unsettled conditions prevailing. Another was a possible 'impending' famine (which also would have affected non-Muslims), [110] although in early October *CMG* reported there was no 'Imminent Danger of Famine' in J&K.[111]A further reason may have been that displaced Muslims from outside J&K were traversing the state going from India to Pakistan.

From 19 October 1947, *CMG* began regularly reporting incidents of violence against Jammu, Muslims, particularly in Poonch.[112]Initially, these were based on press releases or communiqués from pro-Pakistan sources such as the Muslim Conference or the Pakistan Government. (concurrently, the J&K Government was accusing Pakistan of sponsoring unrest in J&K, an allegation Pakistan 'emphatically and categorically' denied)[113]On 26 October 1947, the first report from a sources not obviously pro-

Pakistan appeared on *CMG*'s front page.[114] Quoting 'latest messages', it stated that The exodus of Muslims from Kashmir state [sic] as a result of recurring attacks by Dogra troops continues apace', with some 5000 Muslims entering Pakistan on 23 and 24 October. The report appeared under a headline querying whether there was the 'Pogrom Against Kashmir Muslims?'. However, it also appeared with a report from the (pro-Pakistan) West Punjab director of Public Relation who claimed that 'Muslim villages in Jammu State [sic]territory are being subjected to furious campaign of arson and killing by Sikh and Dogra mobs and the capital state troops'. In addition, the director accused and the J&K Government of Crossing the border and burning houses and killing people in West Punjab.[115]

On 28 October 1947, *CMG* carried two API reports about anti-Muslim violence in Jammu. One stated that Jammu Muslims were pouring into Sialkot bringing 'harrowing' stories of 'whole sale looting, killing and kidnapping of men and women by state troops and [RSS] members'.[116]The second report confirmed this situation. It detailed an interview given by the former editor of the *Kashmir Times*, G.K. Reddy, who had left Srinagar in mid-October after being exiled from J&K for advocating its accession to Pakistan. (While disenchanted with the Maharaja and his regime he was not necessarily disenchanted with Pakistan or India.)After leaving

Srinagar, Reddy was detained for ten days at Domel, the customs point on Jhelum Valley road located near Muzaffrabad town. After that, he was 'secretly removed under military escort, to Kathua and expelled. Reddy arrived in Lahore on Sunday 26 October. When interviewed about his experiences in 'the disturbed areas of Jammu', he related that he had seen a 'mad orgy of Dogra violence against unarmed Muslims [that] should put any self-respecting human being to shame'. This included seeing armed bands of ruffians and soldiers shooting down and hacking to pieces helpless Muslim refugees heading towards Pakistan'; watching officials and military officers 'directing a huge armed mob against a Muslim refugee convoy [that it] hacked to pieces'; and, in Jammu City, counting 'as many a twenty-four villages burning one night [while] all through the night rattling fire of automatic weapons could be heard from the surrounding refugee camps'. Reddy concluded by warning the J&K Government that 'by such methods of mass murder they [sic] cannot alter the population scales of the State'.

From around the beginning of November, press reports of violence against Muslims in Jammu largely, but not totally, disappeared. The reason for this was simple: most news was about the high profile tribal invasion of J&K. Reporting then increasingly dealt with the political, diplomatic and military battle between pro-Pakistan and

Indian force in, and for, J&K. it particularly focused on Kashmir Valley, including reports on some diabolical Pukhtoon actions there, especially in Baramulla. Newspapers did report anti- Muslim violence in Jammu, but invariably this was retrospective.[117]For example, on 21 November, *CMG* reported that a party of (unnamed) Englishmen, after interviewing 200 wounded refugees in Sailkot, was 'convinced that there have been a disgraceful massacre of Muslims in Jammu'. [118]On 26 November, *the New York Times* stated that Jammu has been 'the scene of massacres against Muhammadans' in retaliation for Hindu and Sikh deaths in West Punjab.[119]

On 18 December 1947, *CMG* published detailed account, possibly officially sanctioned, by the above-mentioned Englishmen about anti-Muslim activity in Jammu Province in previous months, including attacks against police and women.[120]This provided the most credible, useful and significant account to date. The Englishmen, possibly pacifist Quakers and seemingly not ideologically driven,[121] had visited Jammu Province recently and interrogated Muslim refugees and officials. Their subsequent report was considered a 'factual report jointly submitted by two foreigners who … were commissioned for this purpose by the Government of India and Pakistan'.[122] It provided comprehensive information about anti-Muslim violence in Jammu Province in 1947.

The Englishmen detailed ten separate violent incidents that had occurred between the beginning of October and 9 November 1947. Some suggested official complicity. Six of the incident took place before Maharaja Hari Singh acceded to India, meaning that his government was solely responsible—and largely culpable. The other four incidents took place after the accession, but before the Maharaja begin to share power in Jammu Province with Sheikh Abdullah's Emergency administration instigated in late October 1947 and initially restricted to the Kashmir valley. When Abdullah visited Jammu on 16 November the ongoing violence there inspired him to take five 'emergency advisers' to 'create confidence among Muslims'.[123]Before Abdullah's visit, the Maharaja's forces were still the pre-eminent—if disorganized and antagonistic—force in Jammu Province. Three incidents described by the Englishmen involved by the J&K police, a force traditionally dominated by Hindu, particularly at the senior level.[124]These incidents, while not specifically describing anti-Muslim violence, nevertheless were disturbing. The first occurred early in October when police operating around the Kathua area seized some arms and ammunition from Hindu and Sikh 'smugglers' entering J&K from nearby Gurdaspur. Hindu state officials then took the arms from the police and return these to the smugglers. The second incident occurred in 22 October when all Muslim Members of the J&K Police in Jammu City were disarmed and ordered to go to Pakistan.

The third reported incident took place on the same day, when some policemen went to help Muslims being attacked in Daghiana, near Jammu City. The 'State troops aimed their rifles at the police and ordered them to turn back'. These incidents suggested a pro-Hindu, anti-Muslim bias among senior J&K officials.

Of the seven specific incidents of anti-Muslim violence that the Englishmen alleged, all but two involved a massive loss of Muslim lives.[125]Incidents One and Two occurred before the tribal invasion; Incidents One to Four took place before the Maharaja acceded to India (and before details of the tribal invasion were known in Jammu). The killers supposedly included 'state' or 'Dogra' troops in all instances. In Incident Three, the Maharaja was also implicated directly. In two reported incidents involving 8, 000 Muslims near Kathua (incident one) and15, 000 Muslims at Akhnur Bridge (incident two), only forty and 100 Muslims respectively survived. 'Dogra troops and armed Sikh civilians … slaughtered' the first group; 'Rajput and Dogra soldiers' the second. In Incident three involving a siege of 14,000 Muslims at Sambha village near Jammu City, 'all the Muslim women in the village were apparently taken away by the state troops, and the men were slaughtered with the exception of 15 survivors, who escaped to Sailkot'. This action was supposed to have occurred almost 'immediately after' a visit to Sambha by the Maharaja himself. In Incident four,

the ‘State Government’ allegedly ordered 25,000 Muslims gather at Maogoan awaiting evacuation to Pakistan ‘to walk’ to the new dominion: ‘But as they were doing so, their women and all their personal belongings were taken away from them by the Dogra troops, and the rest made to stand in a line, where upon they were riddled with machine gun bullets.’ Only about 200 men apparently made it to Pakistan.

The alleged Incidents Five (4000 Muslims killed), Six (1200 Muslims killed) and Seven (2800 Muslims killed) in the Englishmen’s account occurred after the Maharaja’s accession to India. While the number of deaths in these Incidents was relatively fewer than in the first four events, J&K State troops were involved in Incidents Five and Six. On 21 November, in a telegram to Liaquat Ali Khan, Nehru acknowledged that these post-accession attacks, all of which involved convoys taking Muslims to Pakistan, had occurred. Nehru believed each attack was under taken ‘chiefly by non-Muslim refugees’. The third convoy mentioned in Incident Seven had been guarded by Indian troops who repelled and killed 150 of the attackers.[126] The Englishmen, who stated that this convoy was ‘escorted by Dogra and Madrasi troops’ (south Indians), confirmed Nehru’s position.

Of the Seven incidents, Incidents Three, Four, Five and Seven included operations where some, or all, of the women, particularly young women were seperated from

the group.(Muslim groups presumably included children, but the Englishmen do not mention minors.)The kidnapping, rape and killing of females in 1947 has largely been forgotten or overlooked. Nevertheless, it was a significant problem, in J&K among other places. On 2 December 1947 the J&K Muslim Conference, applauding a reported initiative of the National Conference's Controller of Jammu to 'recover' abducted women, believed that 'about 5,000' was 'a rough estimate' of the number of Muslim 'girls' abducted in Jammu Province.[127] Pukhtoons abducted an unknown number of Kashmiri women. India and Pakistan were keen to find and repatriate abducted women. On 2 December, Nehru asked Liaquat to take all possible steps to rescue 2000 'unfortunate' Hindu women abducted from the Bhimber area 'being sold like cattle at about Rs. 150 each' in nearby Gujrat. [128] The J&K Maharaja and Maharani made a similar plea in Jammu on 16 December, [129]although Hari Singh may have been complicit in such abductions. According to Sheikh Abdullah, while he and his cohorts were trying to defuse tension in Kashmir Province from the tribal invasion, Hari Singh and his wife were 'fanning communalism' in Jammu.[130] A later commentator also blamed the ruler for 'prosecuting so disgraceful a campaign of persecution ...[that was a] systematic modification of the population in favour of the non-Moslems [sic] elements'.[131]

The incidents discussed above suggest a large loss of Muslim life in Jammu in 1947.[132]They are also a disturbing indictment of autocratic power and may partially explain why the J&K regime prevented information about state happenings being freely collected and published. Concerning the abovementioned pre-accession incidents (Incidents One to Four), some tentative, but unverifiable, calculations can be made about the number of deaths. In Incidents One and Two, in which women were not separated from either group, only 140 Muslims were supposed to have survived. In Incidents Three and Four, for which exact figures are lacking for the number of women separated, assuming that 50 per cent of the total of 39,000 for the two groups comprised females and that all were separated from the group, then some 19,500 females 'disappeared'; that is, they fled or were abducted, with many later possibly raped or killed, some women probably survived but we do not know how many or in what state—physical, psychological or religious or political. (Abductees often ended up in their captors' dominion and religion.) Of the 19,500 Muslim males in Incidents Three and Four, only 215 were supposed to have survived. Similarly, before accession, of some 62,000 Muslims congregated in Jammu Province for evacuation to Pakistan, perhaps as few as 345 made it to the new Muslim dominion.

Some Muslims believe that 200,000 Muslims were affected by anti-Muslim activities in Jammu. In January 1948, Horace Alexander was one of the first to quote this figure. In late November 1947, when 'disquieting stories were current of massacre of civilians on both sides', the government of India and J&K asked him 'to investigate the conditions of Muslims in Jammu'.[133] Alexander's report appeared a couple of months after the alleged 'massacre'.[134] Comparing the Jammu events with the 'horror' of the tribal intervention in Kashmir Province, Alexander noted that: 'Hindus and Sikhs of Jammu area, led largely by refugees, but, once again, apparently with at least the tacit consent of State authority, had driven many thousands of their Muslim neighbors from their homes, and some two hundred thousand are, as Mr. Gandhi with his usual courageous candour has admitted, not accounted for.'[135] Despite Alexander's exhortations not to forget the anti-Muslim action in Jammu, this soon happened.

Mahatma Gandhi, in his 'usual courageous can dour', confirmed that atrocities had been committed against Jammu Muslims. Speaking on 27 November 1947, Gandhi noted the 'considerable' and 'unreported' Hindu 'excesses' in Jammu.[136] The next day, he spoke of Hindus and Sikhs killing Muslims in Jammu.[137]Gandhi did so in the presence of Sheikh Abdullah, who had 'recently' been to Jammu. When Abdullah confirmed the Jammu atrocities,

Gandhi reproached the Kashmiri for 'betraying' his people's trust by not having the Maharaja's power curtailed.[138] On 25 December, Gandhi stated that he held the Maharaja 'responsible for the happening in his state',[139] including the 'murders of numberless Muslims and abduction of Muslim Girls in Jammu'.[140] After meeting Gandhi in December 1947,Ian Stephens believed that the Mahatma's 'despairing mood' before his assassination on 30 January 1948 could be explained more by his knowledge of Hindu 'excesses' in Jammu than by carnage in Delhi.[141]Abdullah concurred: the Maharaja's 'fanning of communal hatred [in Jammu] slashed the Mahatma's soul'.[142]

On 10 August 1948, an informed special Correspondent of *The Times* provided an exact figure of 237,000 for the number of Muslims who disappeared from Jammu.[143] Under the subtitle 'Elimination of Muslims from Jammu' he provided detailed information about the Muslim population of eastern Jammu ,which for him comprised the districts of Jammu, Udhampur and Kathua and the eastern part of Reasi district. Out of a total population of 411,000 Muslims, the special correspondent believed that'237,000 Muslims were systematically exterminated—unless they escaped to Pakistan along the border—by all the forces of the Dogra State, headed by the Maharaja in person and aided by Hindus and Sikhs. This happened in October 1947, Five

days before the first Pathan invasion and nine days before the Maharaja's accession to India'.

Although no calculations for this exact figure were given and it was not broken down into deaths and escapes, the writer concluded that this 'elimination of two-thirds of the Muslims last autumn has entirely changed the present composition of eastern Jammu Province'. This report had some veracity given the writer's background knowledge of J&K.[144] Since the figure of '237,000' Muslims being 'exterminated' first appeared in *The Times,* numerous official Pakistan documents and pro-Pakistan writers have cited this report as evidence of a Muslim 'massacre'. Their citations usually include an in correct report date of 10 October 1948; this was a Sunday, and the only day of the week on which *The Times* was not published.

While an unknown number of Muslims were certainly killed in Jammu Province in 1947, thousands also fled to Pakistan to escape the violence. Although many refugees hoped to go home once normalcy returned to J&K or after it had eventually joined Pakistan as they believed it would, most did not return.[145] Documents by pro-Pakistan sources indicate the numbers involved. In 1947, the Muslim Conference claimed that nearly 200,000 Jammu Muslims had migrated to Pakistan.[146]In 1952, the Pakistan Government believed it was caring for over 600,000 Muslim refugees from J&K.[147]Their arrival begin

as early as September 1947 when 'more well-informed' J&K Muslims 'apprehending trouble' being to arrive at Sailkot 'in small unnoticeable batches every day'.[148] In January 1951, a comprehensive report in *Dawn* noted that during October–November, 1947, the genocide of the Muslims of [J&K] and their expulsion begin according to plan, and as a result about 200,000 Muslim were forced to take refuge in Pakistan.

This was the first of two waves that saw some 400,000 refugees move from J&K to Pakistan. The second wave occurred in April-July 1948 as Indian forces mounted a successful offensive in J&K. About half of the arrivals sought asylum in nearby Sailkot District, a logical place from which to quickly return to Jammu Province when normalcy returned. Equally, refugees expected to be able to return home after the plebiscite (promised by India when received Hari Singh's accession) was held, as a result of which, they believed, J&K would unite with Pakistan. *Dawn* also reported that a 'sensus' (census) taken from May to July 1949 registered 355,000 J&K refugees in West Pakistan. Of these, 334,000 came from the Indian-controlled portion of J&K and 21,000 were from Azad Kashmir. Azad Kashmir itself had 'about 150,000 refugees and displaced persons'. Such large numbers of Muslims would not have left Jammu Province had conditions been stable.

It is important to remember that, although much evidence exists of anti-Muslim activity in Jammu Province in 1947, indisputably Muslims also committed acts of violence against Hindus and Sikhs in J&K in 1947. They were also poorly reported, and even less is known about them, and their perpetrators, then about anti-Muslim. Accordingly to one pro-Indian writer (and given that there is little evidence to support or counter this claim), 'If the ruthless killings in [the] Jammu area could be called genocide, it was a genocide of the Hindus and not of the Muslims'.[149] The Indian *White Paper* discusses one incident of violence and kidnapping in and around Mirpur on 25 November 1947, with 'Pathans' the perpetrators.[150] A further alleged —and, if true, abysmal —incident of anti-Hindu violence took place in Mirpur. This was the 'liquidation of over twenty thousand non-Muslims on and after 25 November 1947 out of a total of 25 thousand' gathered in Mirpur for shelter and protection. [151] A 'Greatly Shocked' Sardar Ibrahim painfully confirmed that some hindus were disposed off in Mirpur in November 1947, although he does not mention any figures.[152] Certainly, by March 1949, the number of non-Muslims in Azad Kashmir had greatly decreased. Out of the population of 700.000 people (plus an estimated 200,000 refugees) there, non-Muslims numbered 'less than 2 per cent as contrasted with approximately 12.5 per cent prior to 1947'.[153] This decrease presumably was due to

migration, flight, kidnapping of women, natural causes and deliberate murder.

By 1951, there were even fewer non- Muslims living in Azad Kashmir than in 1949. In the 1941 Census, 10 per cent of the population of Poonch *jagir*, about 60 per cent of which later become part of Azad Kashmir, consisted of non-Muslims.[154]In Mirpur District, about 90 per cent of which become Azad Kashmir, some 20 per cent of the 1941 population comprised non-Muslims. Collectively, non- Muslims in both districts amounted to almost 102,000 people. Muzaffarabad *tehsil*, all of which become Azad Kashmir, had about 12,000 Hindus and Sikhs in 1941, with many Sikhs living in Muzaffarabad town. By 1951, the Azad Kashmir Census stated that, out of Azad Kashmir's total population of 886,153, only 790 people, or less than 0.09 per cent, were non-Muslims.[153]This appallingly low figure was presumably one reason why the 1951 Azad Kashmir Census, which was 'done under the aegis of Pakistani authorities', was classified 'secret' and for 'limited distribution'.[156] Thousands of Hindus and Sikhs had been killed, abducted or had fled.[157] Some ended up in Poonch City, or on the eastern, Hindu-majority parts of Jammu Province, or in Kashmir Province. The 1961 Census of India—there was no 1951 census of J&K owing to its disrupted conditions does not specify figure for non- Muslims displaced in 1947 living in Indian J&K. it does mention 'large scale

migration and immigration from and into [Poonch] town' and Sikhs in Srinagar, some of whom 'hail[ed] from Muzaffarabad and other areas now on the other side of the Cease-fire Line'.[158] Certainly, J&K Hindus and Sikhs also suffered from inter-religious violence.

The deaths, two-way emigration and internal movement of Jammu Muslims, Hindu and Sikhs changed the religious composition of Jammu Province in and after 1947. Muslims fleeing eastern areas of Jammu Province were replaced by Hindu and Sikh refugees fleeing Pakistan and other areas of J&K, particularly from Poonch , Mirpur and Muzaffarabad districts. Areas west of the Chenab River were virtually free from non-Muslims; in areas east of this river, Hindus had become a large majority.[159] While the 1961 Census of India did not mention how many Muslims left or were killed in this area, it noted that Muslim populations had decreased in Udhampur and Kathua districts. There also had been 'a phenomenal fall in the rural population of [the] Muslim community in Jammu district during the last two decades as a result of the mass migration to Pakistan of most of the Muslims … The total population of this community in the district as a whole … is about one- third of what it was in 1941'.[160]

Despite general ignorance about the serious inter-religious violence that occurred in Jammu Province in 1947 and regardless of the actual number of deaths that

occurred, much of the Jammuites' violence predated the tribal invasion of J&K. one result of the specific violence against Muslims in Jammu was the largely forgotten, or overlooked, formation of the Azad Kashmir movement in areas liberated by Poonchis and Mirpuris. We now discuss this movement.

The effect: the creation of Azad Kashmir

A third significant, but neglected, event involving the people of Jammu Province in 1947 was the creation of the anti-Maharaja (free) Kashmir Movement. Arising from actions that occurred in Jammu after 15 August, an increasingly organized people's militia, the Azad Army opposed the Maharaja's autocratic rule. Political forces opposed to the Maharaja, chiefly pro-Pakistan Muslim Conference politicians, supported and organized it. Initially, the Azad Kashmir Movement did not seek full political autonomy or independence of J&K. Rather, it wanted J&K to be *Azad*, or free, from the Maharaja's control. On 4 October 1947, an unsuccessful attempt was made to create an alternative government for J&K. On 24 October 1947, at the second attempt, senior Muslim Conference Politicians successfully formed a Provisional Azad Government. (Although this was unstated, it was to be provisional until J&K's international status was determined.) While this government was created two days after, and possibly because of the Pukhtoon's invasion of Kashmir Province on 22 October, the activities

that encouraged its formation came before this invasion and were possibly a catalyst for it. The politicians who successfully formed the Provisional Azad Government had been opposing the Maharaja long before the Pukhtoons entered J&K. Nevertheless, the Pukhtoons' arrival certainly boosted their physically and military —but not their political—causes.

One major reason for the formation of Azad Kashmir Movement was fear. As noted, from the start of anti-Muslim Violence in Jammu Province, some Muslims believed that Maharaja Hari Singh had a plan to 'take quick and strong action, [and] liquidate the whole Moslem population by massacring large numbers and pushing out the rest into Pakistan'. Hari Singh first planned to deal with the '100,000 ex-servicemen' living in areas close to Pakistan, then he would 'turn [his attention] to the rest of the Moslem population' whom, Muslims believed, he intended to massacre.[161]The ruler would then allow the 'Surplus Sikh' population from West Punjab to replace the Muslims.[162] If true, Hari Singh's plan was ambitious: he would have to kill or expel over three million J&K Muslims. Nevertheless, the Muslims 'fear had some basis: Hindu and Sikhs, sometime acting with official sanction, where ridding eastern Punjab of much of its Muslim population. This involved attacking, looting, arson, and raping and killing Muslims.

Muslims' perception of a possible massacre increased following the Maharaja's apparent declaration of martial law around August which concurred with anti-Muslim atrocities in Punjab. This made Jammu Muslims 'mentally prepared for the worst'.[163] Sensing danger, some decided to organize. Many Poonchi Muslims clear that 'only by force of arms could they remove the Maharaja's oppressive army occupation, and save their own lives'.[164] Soon after violence against Muslims started in Jammu Province and conditions had become 'intolerable', some Muslims organized a people's resistance movement by 'mobiliz [ing] all of our able-bodied population'. This movement was the Azad Army. Members of the Muslim Conference, led by Sardar Ibrahim, were the political force behind this body. By late September, this Azad Army controlled much of Pooch and Mirpur districts in Jammu Province. 'By the middle of October the military initiative passed into [Azad Army] hands.' [165] As a result of its military successes, the political organization known as the Azad Kashmir movement developed.

Politically, a major impetus for pro-Pakistan elements in J&K was the establishment of a provisional government in the princely state of Junagadh on 1 October 1947. Junagadh's religious and political situation was the reverse of J&K's: a Muslim Nawab ruled an 80 per cent Hindu population. Unlike J&K, Junagadh's scattered

territory was close to, but not contiguous with, Pakistan, although direct sea communication was possible for coastal areas. The Nawab had acceded to Pakistan on 15 August 1947. Indian National Congress members of the local assembly, supported by India, repudiated this accession on 1 October after which they sought to govern Junagadh via a provisional government. This action inspired some patriotic but timed Muslims Conference worker in J&K. On 4 October, they announced the formation of a 'provisional revolutionary government on the Junagadh model'.[166] From supposed headquarters at Muzaffarabad, the proclamation signed by the president 'Mr. Anwar', stated that 'all laws, ordered and instructions promulgated or issued by the Provisional Republican Government of Kashmir State shall be respected and obeyed'.[167]Anyone disobeying this 'duly constituted Government of the people of Kashmir' or aiding and abetting the 'ex-Maharaja' would be guilty of 'high treason' and 'dealt with accordingly'.[168]

Even through the people of J&K apparently received this new government enthusiastically, it failed. One reason was that the President, after making his proclamation, apparently went to Srinagar to arrest the Maharaja but, instead, was arrested himself and imprisoned for thirteen months.[169] Equally, the provisional government failed because it was formed at 'a municipal and limited level' without the knowledge of the

Muslim Conference's 'top brass'. They were not prepared to support this action by impetuous lower-level members: the circumstances were not right and they were not ready.[170]The provisional government therefore never saw 'the light of day'. Its formation also may have been a feint by inexperienced political forces designed to inspire or cajole other pro-Pakistan forces into further action to ensure that J&K joined Pakistan.

Despite failing, the first 'Provisional Republican Government of Kashmir State' energized more senior Muslim Conference elements. Soon afterwards, they established another provisional government, possibly in Pakistan's support. Towards the end of October, it was 'more propitious' to engage in decisive political action. Relations between Pakistan and the J&K Government had deteriorated, with Srinagar accusing Karachi of withholding vital supplies, which the J&K Government state it might seek to obtain elsewhere. This could only mean from India, a proposition that made both Pakistan and pro-Pakistanis in J&K wary lest India try to take the princely state by stealth. A further propitious factor was the Maharaja's 'wholesale arrests of patriots in the [Kashmir] Valley [the caused] a high wave of resentment'.[171]Pro-Pakistan politicians felt that they could capitalize on this resentment.

Another important factor was that, on 21-22 October 1947, pro-Pakistan 'traitors' in the Maharaja's

army, [172] probably inspired by Azad army elements, rebelled at Domel and took control of the strategic bridge over the Jhelum River that controlled entry to the Kashmir Valley beyond.[173]This facilitated the invading Pukhtoons' move down the Jhelum valley road towards J&K,s summer capital. [174]Many in the fledgling Azad Kashmir movement believed, probably naively, that these poorly trained, undisciplined, irregular booty- hungry tribesmen would quickly capture Srinagar and Maharaja Hari Singh and 'entice' him to accede to Pakistan.[175] Had the Pukhtoons succeeded, pro-Pakistan elements would have gained control of the prize Kashmir valley, including Srinagar and its airport (whose strategic significance Pakistan would later understand). This would have allowed this region—and all of J&K, had they obtained Hari Singh's accession ——to join, or to be joined, with Pakistan. Also, given that bitter winter snows were expecting soon to envelop Kashmir Province, the weather would have prevented any serious Indian military response. A new government would have been needed; the provisional government would have this body.

The final propitious factor that enable a provisional government to be established, and sustained, was the emergence of some Muslim Conference members full of 'daring and infused with a spirit of revolutionary adventure'.[176] They were led by Sardar Ibrahim a little known thirty-two-year-old barrister from

Rawalkot, Poonch(who would go on to play a role in Azad Kashmir politics for over fifty years).[177]One of the few Muslim barristers in J&K in 1947, Ibrahim had worked as 'an unknown assistant District Advocate in the Maharaja's Government'.[178]In January 1947, he had been elected unopposed from the 'Bagh Sadnooti [sic; Sudhnuti] Muslim' constituency to the Prajha Sabha, [179] where he served as Chief Whip of the Muslim Conference.[180] On 22 July 1947,he gained prestige after 200 Muslim Conference leaders 'passed unanimously' a resolution in his Srinagar home,[181] a dangerous act of hospitality given the volatile times and Srinagar being a National Conference stronghold. This resolution urged Hari Singh to join Pakistan. It warned him that if he acceded to India, 'the people of Kashmir will stand as one man against such a decision and launch a struggle with all the power at their command'.[182]This resolution ended the Muslim Conference's temporary stance of independent and anticipated the formation of the Azad Kashmir movement. It was designed to deter the Maharaja who, according to a rumour related in *CMG* on 3 July had a 'deep-seated desire' to join India.[183]While *CMG* noted that the rumour had little veracity, it was sufficient to engage pro-Pakistan Muslim minds.

Sardar Ibrahim had three advantages. First, he was available for a leadership role simply because he was not in jail. Police crackdowns throughout 1946 and 1947 had

jailed many senior Muslim Conference members, forced them to flee J&K or deterred them from leadership roles. Second, his 'single minded fanaticism and fiery eloquence quickly gave him the lead' among his peers.[184] He appeared to be passionate with a clearer vision and less fear about advancing the pro-Pakistan cause than some of his colleagues, such as Chaudhry Hamidullah (see below).Third, he was a leading figure of the Sudhan tribe, a main and martial tribe of dissident Poonch. In this and other areas that come to comprise Azad Kashmir, people's tribal affiliations were important. After July 1947, when the establishment of Pakistan was a certainty, Poonchis' 'intense tribalism' meant that 'only one of them could have commanded their complete loyalty and Sardar Ibrahaim was doubtlessly the only choice'. Along with Muslims from neighbouring Bagh, Sudhans formed the backbone of the anti-Maharaja, pro-Pakistan forces in western Jammu. When the Pukhtoons invaded on 22 October 1947, they already were 'fighting actively' and rather successfully 'on [sic] various sectors except Muzaffarabad'.[185]

In a portent of Azad Kashmir's factionalized politics, Ibrahim mistakenly believed he had authority to act as Muslim Conference leader and head of any provisional government. Chaudhry Hamidullah, Muslim Conference leader in the Praja sabha,[186] had been acting president, was jailed in September 1946 (Abbas was released on 28

February 1948).[187] because Hamidullah feared imminent arrest as a result of the J&K Government serving him with expulsion orders,[188]he consulted his available Muslim Conference colleagues, and then apparently sent Ibrahim a letter of authority dated 17 September 1947 appointing the barrister as his successor. According to Ibrahim, this letter gave him (Ibrahim great power:' you will be perfectly competent to receive and deliver goods on behalf of the Muslim Conference. You can negotiate with any party or organization, and arrive at any understanding you deem fit and proper the Muslim Conference will be bound by your acts and words.'

A postscript boosted Ibrahim's power: 'as long as I am not arrested, you are even now, quite competent to act on my behalf outside the State'.[189] However, a month later, when Ibrahim announced the formation of the provisional Azad Government, Hamidullah questioned his authority. Although Hamidullah wished to avoid being 'Chief Rebel', he told Saraf that Ibrahim's 'announcement was unauthorized' and should have been ignored. Nevertheless, on 4 November 1947, Hamidullah met Ibrahim and offered to support him.[190]

Ibrahim says little about the formation of what was a 'parallel independent government' in J&K, except that it was 'declared to have been established on 24 October 1947.[191]This was two days after he Pukhtoons first invaded Kashmir province —and two days before

Maharaja Hari Singh's accession to India on 26 October 1947. Nevertheless, the build-up to the provisional Azad Government's creation predated the Pukhtoons' invasion. On 24 October 1947 Ibrahim's group, acting as the reconstituted 'Provisional Azad Government which the people of Jammu and Kashmir had set up a few weeks ago', announced that it was 'assuming the administration of the state'.[192]On 28 October 1947, *TOI* published a report dated 27 October about the new governments existence: 'About ten days ago … [Poonch] insurgents succeeded in overwhelming the Government forces and there after the rebels established a "Provisional Azad Kashmir Government", with its seat in Poonch.'[193] *TOI*'s 'authentic version' of events meet that the Azad Kashmir government was actually established on 17 October 1947, Five days before the tribal invasion of J&K. More likely, its establishment was a rushed response to the Pukhtoons' entry into the already physically and politically divided princely state.[194]Feeling euphoric, anti-Maharaja forces wanted a government in Place before— as they anticipated — the Pukhtoons took Srinagar, captured Maharaja Hari Singh and obtained his accession. After that, the provisional Azad Government would administer J&K.

This second, or reconstituted, Provisional Azad Government released an uncertain communiqué on 24 October 1947. Instead of naming the Muslim Conference

as the body behind the Government, it differentially mentioned both Nehru and the National Conference's 1946 'Quit Kashmir' campaign and made some negative statements about the people's common enemy, the Maharaja. This was an attempt at either inclusiveness or obfuscation, to lessen the impact of the then little known Pukhtoons' intervention about which the Muslim Conference certainly knew—and from which it had befited (initially, at least). In either case, those familiar with local politics would have known that 'Mr. Ibrahim, Barrister -at- Law of Poonch', who was mentioned in the communiqué's first paragraph as the governments 'provisional head', was a Muslims Conference member. Additionally, for a Movement both pro-Pakistan and anti-Indian, the communiqué displayed remarkable equanimity towards both dominions. Its authors may have wanted to leave the decision of J&K's future status to the people of J&K, or else wanted independence for J&K (which the communiqué inferred). Another reason may have been temporary ambivalence towards Pakistan which was not providing the help that Azad Kashmiris believed they were entitled to receive in order to wage their anti-Maharaja struggle. Most probably, the communiqué was a quickly constructed document that reflected the provisional government's insecurity and political inexperience during the turbulent, fast-changing situation.

While the second Azad Kashmir Government sought to establish itself in the liberated area that now comprised Azad Kashmir, it soon had another, non aristocratic, rival in J&K. As early as 1 November 1947, the 'Azad Kashmir Government', feeling more confident, dropped the word 'provisional' from its title.[196] Its physical survival was helped by the Azad Army's control of large parts of western Jammu province and by the Pukhtoons' presence in western areas of Kashmir province. Equally, India and its Kashmiri surrogates benefitted from the Pukhtoons' invasion. On 26 October, New Delhi won the Maharaja's accession when he obtained its defensive help against Pukhtoons. For Karachi, the accession was based on fraud and violence'.[197] However, Hari Singh's accession gave India—unlike Pakistan —the 'legal right and moral justification' to dispatch forces to J&K on 27 October. They flew into the (uncaptured) Srinagar airfield and began to repulse the pro-Pakistan Pukhtoons who where only then reaching Srinagar's outskirts. On 31 October, the Indian Government hobbled the Maharaja's regime by creating an Emergency Administration that empowered Sheikh Abdullah and some National Conference members.[198] This placed these pro-Indian Kashmiris in charge of the prized but threatened, Kashmir Valley. Thereafter, the Azad Kashmir Government had a rival body seeking to administer J&K.

Statements issued by the Azad Kashmir government reflected its change of fortune. For two days,—24 and 25 October 1947 — it 'ruled' unchallenged, except for the Maharaja's weak regime. Hari Singh's accession to India on 26 October 1947 changed this situation. The Azad Kashmir Government, seemingly unaware in its remote capital of the accession, on 27 October inclusively extended its 'fullest co-operation to all classes' and 'especially' to Sheikh Abdullah whom it request to return J&K and play his rightful role in the battle of liberty'.[199](he was in New Delhi having discussions with senior Indian leaders.)Two days later, after Abdullah sided with India and Hari Singh, the 'desport' against whom he had raised the Quit Kashmir slogan,[200] The 'Provisional Government of Azad Kashmir' issued a strong statement aimed clearly at its opponents 'may he be a raja or any of his henchmen our Government does not recognize the authority of any oppressor or traitor. We have launched a fight to overthrow an alien ruler and we are determined to fight it to the finish.[201]

The battle lines were drawn. Thereafter, pro-Pakistan Azad Kashmiris engaged pro-Indian forces supporting the National Conference in a fight to that proved to be inconclusive.

When Azad Kashmir was created on 24 October 1947, its founders were probably looking only to the immediate or short- term future. They expected J&K's International status to be resolved by the Maharaja acceding to Pakistan or by the Pukhtoons capturing the Kashmir Valley for Pakistan. Azad Kashmiris would then

provide the political and administrative elite to govern J&K—or at least the Muslim areas under their control. Two days after Azad Kashmir's creation, their outlook changed following the Maharaja's accession to India. It changed again on 27 October 1947 when Indian military forces started arriving in J&K. they gradually threatened the physical survival of Azad Kashmir, and as a consequence the Pakistan Army officially entered J&K in May 1948.[202] The provisional Government united all pro-Pakistan forces in J&K, including the Pukhtoons, under its leadership and control and ensured that Azad Kashmir survived until the United Nation ceasefire on 1 January 1949 ended the fighting in J&K. Thereafter, the dispute over possession of J&K increasingly become a contest between India and Pakistan, with the Azad Kashmir Government still in existence, but on the periphery.

Conclusion

The evidence above confirms that the people of J&K commenced, and sustained, the violent activities that occurred in J&K between partition on 15 August 1947 and Maharaja Hari Singhj's accession to India on 26 October 1947. During this significant ten-week period, the Maharaja confronted two major law and order crises involving Jammuites: first, the Poonch uprising, which his forces could not control; second, inter-religious violence in Jammu Province, including a possible massacre of Muslims, which the ruler and his forces could not control —and may have been involved in. the Poonch uprising, the Muslim massacre and the resultant formation of the Azad Kashmir Movement were attempts by some Jammuites either to free themselves from autocracy to

impose their collective will locally, or to join J&K with Pakistan or India. Regardless of the specific motivation for each event, the evidence above confirms that these were local events undertaken and led by state subjects with every right to be in J&K. Similarly, this evidence shows that the Poonch uprising and the violence against Muslims in Jammu Province commenced, and were well under way, before Pakistani Pukhtoons invaded J&K on 22 October 1947. Indeed, these actions may have inspired the Pukhtoons' invasion.

These actions by the people of J&K are significant for two reasons. First, they directly led to the physical and political division of J&K before the Maharaja acceded to India. Second, and most important, they instigated the ongoing dispute over whether J&K should join India or Pakistan—the so- called Kashmir dispute. The evidence shows that the Jammu and Kashmir themselves began the Kashmir dispute. Pukhtoon raiders or outsiders did not start it, as India has repeatedly stated since 1947. India used this argument to strengthen its position in the Kashmir dispute, but Pakistan's acquiescence in it is surprising. These matters are discussed in the next chapter.

Notes:

1. Bazaz,Azad Kashmir,p.11,writing in 1951,stated that his party actually coined the term Azad Kashmir' at a party gathering in Anantnag on 12 may 1946.However,his book was not about the actual region of Azad Kashmir.Its purpose was to convey his and his party's conception of what a free Kashmir should comprise. Santosh Kaul,Freedom Struggle In Jammu and Kashmir,New Delhi,Anmol Publications,1990,pp.177-78, states that the Muslim Conference at a special Convention' held in Srinagar from 27 to 30 July1946 made a series of demands for political reforms in J&K via its Azad Kashmir Manisfesto'.I have not been able to obtain a copy of this manisfesto.
2. Symonds, In the Margins of Independence,p.57.
3. While preparations for this invasion must have been going on in Pakistan before this date,that contentious matter is outside the scope of this article.
4. See,for example, the Enclosure titled 'Note of a talk with Mr. Liaquat Ali khan at Lahore on 1 November 1947'', in a letter from Lord Mountbatten to Sardar Patel,2 November 1947, in Das,Sardar Patel's Correspondence, p.75; A.De Mhaffe, Road to Kashmir, Lahore,Ripon Printing

Press,1948?,p.170;Shaikh Izzatullah, Kashmir Plebiscite [sic], Lahore, Iqbal Company Limited,1949?, p.74;Ziaul Islam, The Revolution in Kashmir, Karachi, Pakistan Publishers,1948,p.55.

5. Copeland ,'Islam and Political Mobilization in Kashmir'.p:231.
6. Joseph Schechtman, The Refugee in the World: Displacement and Integration, New York,A.S. Barnes,1963, p.108, quotes figures revealing that, from mid-august to mid-November 1947, about 10.2million people migrated from , or to, West Pakistan. They comprised 4.4 million Hindus and Sikhs who went to India and 5.8 Million muslims who went to Pakistan. The violence and privations associated with this upheaval resulted in large numbers from all communities being killed or abducted, or dying. No exact fatality figures are available. Schechtman states that estimates range from 1 million provided by 'authoritative circles in NewDelhi' to a (surely incorrect) figure of '20 or 30 thousand' given by Nehru.
7. See Christopher Snedden, "What Happened to Muslims in Jammu? Local Identity , " the Massacre' of 1947" and the roots of the "Kashmir Problem", South Asia: Journal of south Asia Studies , Vol. XXIV, No 2, December 2001.
8. The Times, 10 October 1947.

9. Ian Stephens, Horned Moon. An account of a journey through Pakistan , Kashmir and Afghanistan, London Chatto and Windus, 1953, p.108. Stephens was editor of the Statesman, Calcutta and New Delhi, from 1942 to 1949.
10. CMG, 8 October 1947.
11. CMG, 8 October 1947.The Paper's report followed the arrest of the editor of the Kashmir Times on 17th October when he was attempting to leave J&K.
12. The Times, 10 October 1947. The Times confirmed most of the activities described beforehand , including the closure of the Kashmir Times.
13. CMG, 21 October 1947.
14. TOI, 20 October 1947.
15. A typical example is contained in the (emotively-titled) book: Jasjit singh, Editor, Pakistan Occupied Kahsmir Under the Jackboot, New Delhi, Siddhi Books, 1995, pp vi,3.
16. Chapter 4 and 6 (See original book) discuss events in Gilgit, While significant, these events took place after, and possibley because of, Maharaja Hari Singh's accession to India.
17. Brecher, The Struggle for Kahsmir, P. 25. Brecher Himself also only devotes four paragraphs to the Poonch uprising.
18. Dymonds, In the Margins of Independence, p.77.

19. HGS, ‘Poonch 1937-1947, P-4, in Powell collection, Papers and Correspondence.
20. Annex 7, (see original book) ‘Minutes of the Meeting with the Defence Minister of the ‘Azad Kashmir Government ’, in the UNCIP, Report of the sub-committee on western Kashmir, p-71, and Appendix I, ‘Extracts from Pamphlets “Military Background of the Kashmir liberation Movement” and “Annual administration reports of the Ministry of Defence”, attached to Annex7,p.73.

21. Sardar M. Ibrahim Khan, The Kashmir Saga, p. 52.

22. Singh, History of Jammu and Kashmir Rifles, p. 219. Kashmir Before Accession, Lahore, [No Publisher Details [Printed by the Superintendent, Government Printing, West Punjab]],1948, various pages, also talks of Poonchis being disarmed.

23. I have no figures for the number of Poonchis in the Pakistan Army in 1947 but, according to Messervy, 'Kashmir', p: 475, 'some 15,000' Poonchis were in it in 1949. Messervy was Commander-in-Chief of the Pakistan Army from 15 August 1947 to 15 February 1948.

24. Sardar M. Ibrahim Khan, The Kashmir Saga, p. 55.

25. Kashmir Before Accession, p. 21. India and Pakistan obtained independent dominion status at midnight

on 14 August. For Pakistan, 'independence day' is 14 August; for India, it is 15 August. Each dominion became completely independent of all British ties (apart from membership of the Commonwealth) after adopting their own constitution on 'republic day': 26 January 1950 for India; 23 March 1956 for Pakistan.

26. Kashmir Before Accession, p. 11; pp. 17-20 have interviews with Poonchis describing their 'sufferings' at the hands of these elements.

27. Suharwardy, Tragedy in Kashmir, p. 203.

28. Sardar Muhammad Abdul Qayyum Khan, The Kashmir Case, Rawalpindi?, Al-Mujahid Academy?, 1992, p. 2.

29. Sardar M. Ibrahim Khan, The Kashmir Saga, p. 45; Lamb, Kashmir, A Disputed Legacy, p. 123, also states that it began in June; Birdwood, Two Nations and Kashmir, p. 49, states that the campaign began in the spring of 1947. Lamb, 'Birth of a Tragedy, p. 61, claims that, by 14—15 August, this 'essentially separatist movement had spread beyond Poonch into Mirpur and parts, even, of Jammu'.

30. Kashmir Before Accession, p. 12; Sardar M. Ibrahim Khan, The Kashmir Saga, p. 45.

31. Ibid., p. 12.

32. Imrany, Paradise Under the Shadow of Hell, p. v.

33. De Mhaffe, Road to Kashmir, p. 170.

34 Zaidi, Jinnah Papers, Volume V, pp. 571-72.

35. Izzatullah, Kashmir-Plebiscite, p. 72.

36. Saraf, Kashmiris Fight—For Freedom, Volume II, p. 848.

37. Kashmir's Fight for Freedom, Washington, Dept. of Public Relations, Azad Kashmir Government, 1948, p. 2. Also Symonds, 'With the Rebel Forces of Poonch' and Symonds, In the Margins of Independence, p. 78.

38. Prasad and Pal, History of Operations in Jammu & Kashmir (1947-48), p. 13. This official Indian publication does not discuss the Poonch uprisings—it mentions 'Punch' in relation to alleged cross-border raids into J&K.

39. Symonds, In the Margins of Independence, p. 78.

40. Symonds, 'With the Rebel Forces of Poonch'.

41. Kashmir's Fight for Freedom, Washington, Dept. of Public Relations, Azad Kashmir . Government, p. 3.

42. Later a prominent political leader in Azad Kashmir.

43. CMG, 19 February 1948. According to this report, the Maharaja's government had once offered a Rs. 5,000 reward for Qayyum's capture 'dead or alive'. At that stage, Qayyum also believed that the anti-Indian forces would triumph in J&K: As to the end, it is a certainty. We must win.' Sardar Muhammad Abdul Qayyum Khan, The Kashmir Case, p. 12, states that people call him Mujahid-e-Awwal' (the first mujahid or freedom fighter, crusader, warrior—all are given as translations in his book), for 'initiat[ing] an armed struggle against the Dogra Raj, in the State of Jammu and Kashmir. Whether you call it a conspiracy, rebellion or movement, it was I who started it'.

44. Symonds, 'With the Rebel Forces of Poonch'.

45. Messervy, 'Kashmir', p. 469.

46. White Paper on Jammu & Kashmir, pp. 6—12.

47. Singh, History of Jammu and Kashmir Rifles, p. 222.

48. Defending Kashmir Delhi, The Publications Division, Ministry of Information and Broadcasting, Government of India, 1949, Appendix I, pp. 159-62.

49. White Paper on Jammu Kashmir, p. 6.According to Rakesh Ankit, 'The Forgotten Soldier of Kashmir', Epilogue, 12 May 2010, www.epilogue.in /detailnews.aspx?mwid=781 [accessed 1 August

2010], Scott served in this position from 1936 to September 1947.

50. Census of India 1941, p. 232.

51. Izzatullah, Kashmir-Plebiscite, pp. 73-4.

52. CMG, 22 October 1947, A press note dated 24 October in The Statesman, 26 October 1947, also spoke of incidents' in Sialkot district 'by raiders from across the Sialkot-Jammu border'.

53. Appendix I, 'Extracts from Pamphlets "Military Background of the Kashmir Liberation Movement" and "Annual Administration Report of the Ministry of Defence'", attached to Annex 7, 'Minutes of the Meeting with the Defence Minister of the "Azad Kashmir Government'", in UNCIP, Report of the Sub-committee on Western Kashmir, p. 73.

54. Symonds, 'With the Rebel Forces of Poonch'. I can confirm this steepness.

55. HGS, 'Poonch 1937—1947', p. 1, in Powell Collection, Papers and Correspondence.

56. Izzatullah, Kashmir-Plebiscite, p. 72.

57. Sardar M. Ibrahim Khan,The Kashmir Saga, pp.69-70.

58. Suharwardy, Tragedy in Kashmir, p. 107.

59. Sardar M. Ibrahim Khan, The Kashmir Saga, p. 84.

60. Suharwardy, Tragedy in Kashmir, p. 135.

61. Victoria Schofield, Kashmir in the Crossfire, London, IB. Tauris, 1996, p. 134 and p. 311, footnote 64.

62. Annex 7, 'Minutes of the Meeting with the Defence Minister of the "Azad Kashmir Government", in UNCIP, Report of the Sub-committee on Western Kashmir, pp. 70-71.

63. Appendix I, 'Military Matters', attached to Annex 3, 'Questionnaire and Answers of Azad Authorities', in UNCIP, Report of the Sub-committee on Western Kashmir, p. 51.

64. Lieutenant General Sardar FS. Lodi, '50 Years of Azad Kashmir Regiment', The Nation, 14 October 1997.

65. Annex 7, 'Minutes of the Meeting with the Defence Minister of the "Azad Kashmir Government'", in UNCIP, Report of the Sub-committee on Western Kashmir, p. 70. According to Lieutenant Colonel (Retired) M.A. Haq Mirza, Sher-i-Jang, The Withering Chinar, Islamabad, Institute of Policy Studies, 1991?, p. 21, Colonel All Ahmad Shah was only a major in 1948.

66. Appendix I, 'Military Matters', attached to Annex 3, 'Questionnaire and Answers of Azad Authorities', in UNCIP, Report of the Sub-committee on Western Kashmir,p .49.

67. Appendix A, -'Extracts from "Pamphlets "Military Background of the Kashmir Liberation Movement" and "Annual Administration -Report of the Ministry ol Defence"', attached to Annex 3, 'Minutes of the Meeting with the Defence Minister of the "Azad Kashmir Government" ', in UNCIP, Report of the Sub-committee on Western Kashmir, pp. 70-71.

68. Annex 7, 'Minutes of the Meeting with the Defence Minister of the "Azad Kashmir Government'", in UNCIP, Report of the Sub-committee on Western Kashmir, p. 70. In 1949, this pay was increased to Rs. 20 per month.

69. Appendix I, 'Military Matters', attached to Annex 3, 'Questionnaire and Answers of Azad Authorities', in UNCIP, Report of the Sub-committee on Western Kashmir, p. 49.

70. Appendix I, 'Extracts from Pamphlets "Military Background of the Kashmir Liberation Movement" and "Annual Administration Report of the Ministry of Defence'", attached to Annex 7, 'Minutes of the Meeting with the Defence Minister of the "Azad

Kashmir Government'", in UNCIP, Report of the Sub-committee on Western Kashmir, pp. 70-71.

71. Sardar Muhammad Abdul Qayyum Khan, The Kashmir Case, p. 103.

72. Sardar M. Ibrahim Khan, The Kashmir Saga, p. 115.

73. Ibid., p. 70,

74. UNCIP, Report of the Sub-committee on Western Kashmir, p. 13.

75. Hafizullah, Towards Azad Kashmir, p. 97; Sardar M. Ibrahim Khan, The Kashmir Saga, Second Edition, 1990, p. 103. 76. Hasan Zaheer, The Times and Trials of the Rawalpindi Conspiracy 1951, Karachi, Oxford University Press, 1998, pp. 29-160, details the events in J&K that encouraged Khan.

77. Sardar M. Ibrahim Khan, The Kashmir Saga, p. 74.

78. Lamb, Kashmir, Disputed Legacy, p. 129.

79. Sardar M. Ibraliim Khan, The Kashmir Saga, p. 74.

80. Hafizullah, Towards Azad Kashmir, p. 93. The RSS (National Self-Service Society) was a right-wing Hindu organisation.

81. Suharwardy, Tragedy in Kashmir, p. 110.

82. The Times, 8 September 1947.

83. CMG, 2 October 1947.

84. Ibid., 19 October 1947.

85. Ibid., 21 October 1947.

86. Ibid., 28 October 1947.

87. The Times, 25 October 1947.

88. The Times, 30 October 1947.

89. CMG, 23 October 1947.

90. The Times, 28 October 1947.

91. Bazaz, Inside Kashmir, pp. 202,204.

92. Rai, Hindu Rulers, Muslim Subjects, p. 243.

93. The Azad Jammu and Kashmir Interim Constitution Act, 1974 (Amended upto [sic] date) May 1997, Muzaffarabad, Azad Govt, of the State of Jammu & Kashmir (Law, Justice and Parliamentary Affairs Department), 1997, p. 4, states that this was the 'late Government of the State of Jammu and Kashmir Notification No. l-L/84, dated the 20th April, 1927'.

94. According to Fazili, Kashmir Government and Politics, pp. 131—3, all persons resident in J&K before 1885 were Class I State Subjects; those who came between 1885 and 1911 were Class II State

Subjects; those who came after 1911 and before 31 January 1927 and had obtained a concession or permission to purchase immovable property were Class III State Subjects. Class IV State Subjects related to companies. In my interview with Sardar Ibrahim at Rawalakot on 4 March 1999, he told me that Chaudhry Ghulam Abbas's forebears were from Jullundur in Punjab and that Abbas was a Class III state subject.

95. Riyaz Punjabi, 'Kashmiriyat: The Mystique of an Ethnicity', Indian International Centre Quarterly, Volume 17, Number 2,1990, p. 114.

96. In December 2004, in Lahore, Rawalpindi and Sialkot, my wife, Diane Barbeler, and I interviewed a number of Muslims who were living in Jammu Province in 1947 and heard terrible stories about how Hindus and Sikhs had wreaked death and destruction on Muslims and their communities. In Jammu City in December 2004-January 2005 I heard more of the same from Muslims who had remained in Indian J&K. Equally, 1 heard terrible stories from Hindus who had lived in Mirpur and Muzaffarabad in 1947 about how Muslims had wreaked similar death and destruction on Hindus. AH communities suffered in 1947.

97. Author unknown, Jammu and Kashmir State 1947', p. 1, in Powell Collection, Papers and Correspondence. The author further states that 'in a single [unnamed] month no less than 100,000 [refugees] passed through Jammu Province'.

98. CMG, 17 September 1947, quoting a report from their Jammu correspondent dated 4 September.

99. CMG, 20 September 1947. Census of India IPM^Vblume VI, Jammu and Kashmir, Part I-A (i), General Report, Srinagar, M.H. Kamili, Superintendent of Census Operations Jammu and Kashmir, Census of India, 1968, p. 157, states that, in 1961, Indian J&K had 68,291 immigrants who had lived there less than sixteen years.Two-thirds of these comprised 'displaced persons from West Pakistan. Part I-A (ii), pp. 76-77, states that almost all of these immigrants had setded in Jammu.

100. CMG, 17 September 1947.

101. Kashmir's Fight for Freedom, Washington, Department of Public Relations, Azad Kasmir Government, pp. 2-3; Kashmir Before Accession, Foreword; De Mhaffe, Road to Kashmir, p. 169.

102. Hafizullah, Towards Azad Kashmir, pp. 55, 83; Islam, The Revolution in Kashmir, pp.7_8.

103. Kashmir's Fight for Freedom Washington, Department of Public Relations, Azad, Kashmir Government, pp. 5-6.

104. Kashmir Before Accession, pp. 29-53, discusses and provides accounts of anti-Muslim activities in Jammu. Appendix C, pp. viii-xx, provides 'Details regarding the Loss of Life and Property of Muslims in Jammu and Kashmir States [sic]'. Its figures were probably calculated from information obtained from 'persons displaced' from J&K who had successfully made an 'entry into Pakistan'.

105. Kashmir Before Accession, various pages. It is impossible to state exact figures as, in a number of cases, a date range is given, e.g. Incident 58 (p. xiv) took place between the dates '20th to 29th October 1947'.

106. Hafizullah, Towards Azad Kashmir, pp. 83-90; De Mhaffe, Road to Kashmir, pp. 169-81,188-94; Izzarullah, Kashmir-Plebiscite, pp. 71-73; Islam, The Revolution in Kashmir, pp. 20-21,25-26; Imrany, Paradise Under the Shadow of Hell, pp. 20-23.

107. UNCIP, Report of the Sub-committee on Western Kashmir, p. 16.

108. Annex 9, 'Tour Diary, Mirpur District', in UNCIP, Report of the Sub-committee on Western Kashmir,

p. 87. Interestingly, the zaildar, whose name was not given, was 'produced' by a 'Mr. Mainprice'.

109. CMG, 26 September 1947.

110. Ibid., 14 and 17 September 1947.

111. Ibid., 8 October 1947.

112. Ibid., 19,21,22,23 (two reports), 24, 25 (two reports), 26,27 October 1947.

113. Ibid., 22 October 1947.

114. CMG, 26 October 1947. Information in this paragraph is from this report.

115. Appendix D, Kashmir Before Accession, pp. xxi-xxix, also provides details of 38 cross-border 'raids' by elements from J&K (usually comprising 'Dogra troops' and 'non-Muslim civilians') into the adjoining Gujrat and Sialkot districts of Pakistan.

116. Information and quotations in this paragraph are from CMG, 28 October 1947.

117. The Times, 17,18, 20 November 1947; TOI, 28 October 1947.

118. CMG, 21 November 1947.

119. NYT, 26 November 1947.

120. CMG, 18 December 1947. Also published in Dawn, Karachi, 23 December 1947.

121. It is probable the 'Englishmen' were Horace Alexander and Richard Symonds. In his article 'With the Rebel Forces in Poonch', The Statesman, 4 February 1948, Symonds mentioned that, around the end of November 1947, Alexander was given 'facilities' by the governments of India and J&K and had 'gone to investigate the condition of Muslims in Jammu' while he (Symonds) had gone to 'visit concentrations of Hindus and Sikhs' in Azad Kashmir. Richard Symonds, In the Margins of Independence, various references, also discusses how both men, as members of the [Society of] Friends Ambulance Unit and later as volunteers for India and Pakistan, witnessed and investigated the effects of inter-religious violence in J&K in 1947. On p. 55, Symonds states that, on 23 October 1947, he met the 'British assistant editor' of CMG in Lahore who was 'apologetic' that CMG had 'unfortunately described Horace and myself as agents of Nehru and had not indicated that we had been appointed jointly by both sides'.

122. Aziz, Captive Kashmir, Lahore, Allied Business Corporation, 1957, p. 32. Kashmir Before Accession, pp. 22-50, had similar reports by survivors of anti-Muslim violence in Jammu.

123. The Times, 17 November 1947.

124. This paragraph based on CMG, 18 December 1947.

125. Ibid.

126. White Paper on Jammu & Kashmir, pp. 65-66.

127. CMG, 2 December 1947.

128. White Paper on Jammu Kashmir, p. 71.

129. CMG, 17 December 1947.

130. Abdullah, Flames of the Chinar, p. 97.

131. Birdwood, Two Nations and Kashmir, p. 51.

132. Similar stories were related to me by two Azad Kashmiris. The Azad Kashmir Mohtasib (Ombudsman), Tariq Masud, who was nine years old in 1947, told me during a number of meetings with him on visits to Muzaffarabad from December 1997 to January 1998 and in March 1999 that, around October-November 1947, he and his family were part of a convoy going to Pakistan that was stopped by Sikhs and other non-Muslims. The Muslims fled through fields towards Sialkot. Masud, his parents and his three siblings all reached Pakistan alive. On 13 March 1999 in Muzaffarabad, Malik Rashid, former head of the Kashmir Liberation Cell, Muzaffarabad, told me he

was nineteen years old in Reasi in 1947. He left Jammu in December after, and because of, the killing of Muslims. Hindus killed liis father, all his brothers (except his eldest brother) and his wife. According to Rashid, the Maharaja's Hindu-majority armed forces made the difference, otherwise it would have been a local, and far more equal, fight between Hindus and Muslims. In December 2004-January 2005, my wife and I also interviewed Jammu Muslims—and Hindus—who experienced the terrible turmoil and violence of 19z-7. Their stories provide further support for the evidence reported by the Englishmen.

133. Symonds, 'With the Rebel Forces of Poonch'.

134. Horace Alexander, 'India-Pakistan I', The Spectator, London, Issue 180, 16 January 1948, pp. 66-67.

135. Alexander, 'India-Pakistan I', p. 66. Alexander had met Gandhi on 1 November 1947.

136. 'Speech at a Prayer Meeting, November 27,1947', in The Collected Works of Mahatma Gandhi, Volume XC (11 November 1947-30 January 1948), New Delhi, Publications Division, Ministry on information and Broadcasling, Government of India,1984,p.115.

137. 'Speech at Gum Nanak Birthday Function, November 28, 1947', in The Collected Works of Mahatma Gandhi, Volume XC, p. 123.

138. Abdullah, Flames of the Chinar, p. 98.

139. 'Speech at a Prayer Meeting, New Delhi, December 25,1947', in The Collected Works of Mahatma Gandhi, Volume XC, p. 299.

140. CMG, 27 December 1947.

141. Stephens, Pakistan, p. 200.

142. Abdullah, Flames of the Chinar, p. 99.

143. This paragraph is based on, with all quotations taken from, The Times, 10 August 1948. This was the Special Correspondent's second report on 'The Fate of Kashmir'. The first, subtitled An India-Pakistan Battleground', appeared on 9 August 1948.

144. Consultations in July-August 2000 with Mr Nick Mays, Deputy Archivist at News International, London, and Dr Kevin Greenbank, Centre of South Asian Studies, University of Cambridge, reveal that the 'Special Correspondent' was Frederick Paul Mainprice. (The Centre of South Asian Studies holds Mainprice's papers.) An officer of the Indian Civil Service, Mainprice was Assistant Political

Agent, Gilgit, until August 1947. From 14 June 1948, he holidayed in Kashmir but was expelled on 13 September, possibly for pro-Pakistan leanings. Given that The Times adhered strongly-to a policy of protecting author anonymity, Mr Mays is confident that the Indian-J8cK Government would not have known Mainprice had written The Times articles that had appeared during -his stay in the Kashmir Valley. Mainprice's figures may need to be taken with 'a grain of salt' as he later worked for the Pakistan Government on the Kashmir problem. Indeed, a 'Mr. Mainprice' is mentioned in Annex 9, 'Tour Diary, Mirpur District', in UNCIP, Report of the Sub-committee on Western Kashmir, p-80, as being' Deputy Secretary, Government of Pakistan.

145. Discussions in December 1997, January 1998 and March 1999 in Islamabad, Rawalpindi and Muzaffarabad with people who left Jammu Province or Kashmir Province in 1947, or soon thereafter, either for Azad Kashmir or Pakistan.

146. Hafizullah, Towards Azad Kashmir, p. 119.

147. M.A. Gurmani, Kashmir: A Survey, Rawalpindi?, Public Relations Directorate, Ministry of Kashmir, Government of Pakistan, 1952?, p. 38.

148. The rest of this paragraph based on Dawn, 2 January 1951.

149. Balraj Madhok, Kashmir: Centre of New Alignments, New Delhi, Deepak Prakashan, 1963, p. 76. Far more research is needed on the neglected subject of Muslim violence against Hindus and Sikhs in Mirpur, Poonch, Muzaffarabad and other places in J&K in 1947.

150. White Paper on Jammu & Kashmir, pp. 27-28.

151. Jyoti Bhusan Das Gupta, Jammu and Kashmir, The Hague, Martinus Nijhoff, 1968, p. 97, quoting 'Balraj Madhok, Kashmir, Center [sic] of New Alignments (New Delhi 1963), 70-5'. Balraj Madhok, Kashmir: Centre of New Alignments, pp. 70-75, does discuss anti-Hindu violence in Bhimber, Rajauri, Kotli, Mirpur, Deva Vatala and Poonch town. However, Professor Madhok's credentials on this issue are questionable. His book's back cover states that he 'collaborated' with Dr Shyama Prasad Mukherjee (who died tragically in 1953 while in custody in an Indian J&K jail) in forming the right-wing, Hindu-nationalist 'Bhartiya [sic] Jan [sic] Sangh' party. More pointedly, Madhok's back cover also states that he had 'a distinguished academic career'. Despite this, he does not provide any substantiating sources, references or bibliography for his (rather serious) case.

152. Sardar M. Ibrahim Khan, The Kashmir Saga, pp. 49-50. Sardar Ibrahim confirmed (sadly) that Hindus had been killed when I interviewed him at Rawalakot on 4 March 1999. H.L. Bhagotra, 'Foreword', in CP. Gupta, The Directory of Mirpur Mahajan Families Settled in Jammu, Jammu, Mirpur Mahajan Sabha, 1997, claims that, after Mirpur fell in November 1947,'not less than 20,000 citizens of Mirpur ... lost their lives, about 2500 were captured by the enemy and the remaining about 2500 migrated to different parts of India'. Later in this publication, Gupta, who is both a Mirpur victim/survivor and a member of the Mirpur Mahajan Sabha community (as is Bhagotra, its president), gives an account entitled 'Mirpur (How it fell to Pakistan [sic] in 1947)', unnumbered pages. Gupta and other Mirpuris told me in Jammu City in 2005 that, much to their chagrin, they arc still seeking to be classified as internally displaced people within J&K (i.e. internal refugees).

153. UNCIP, Report of the Sub-committee on Western Kashmir, p. 3.

154. For the post-ceasefire structure of divided J&K, see Appendix V: Physical and Political Composition of J&K after the 1949 Ceasefire.

155. Census of Azad Kashmir, 1951, p. 12.

156. Snedden, 'What Happened to Muslims in Jammu?', p. 127.

157. 'Extracts from the translation of a diary captured at Uri by 161 Bde and forwarded to H.Q. Delhi, and Eastern Command Secretariat, February, 1948', White Paper on Jammu & Kashmir, p. 31, states that 'nearly 22,000 Hindus and Sikhs were killed in villages en route from Kohala to Uri' which, if true, is (another) extraordinary statistic in the list of violence that occurred in J&K in 1947.

158. Census of India 1961, pp. 272, 360. In January 2005, I also interviewed a number of non-Muslims (Hindus, predominantly) who had fled with their families from Mirpur, Muzaffarabad and Poonch and had ended up living in Jammu City.

159. See Snedden, 'What Happened to Muslims in Jammu?', p. 127.

160. Census of India 1961, p. 359.

161. Kashmir's Fight for Freedom, Washington, Department of Public Relations, Azad Kashmir Government, p. 2.

162. Hafizullah, Towards Azad Kashmir, pp. 55,83.

163. Kashmir's Fight for Freedom, Washington, Department of Public Relations, Azad Kashmir

Government, p. 3.1 am unable to confirm where, martial law was imposed. This may have been done locally in areas such as Poonch. Otherwise, the Maharaja's troops were severely extended in 1947, which would have made an imposition of martial law throughout J&K unenforceable.

164. Sardar M. Ibrahim Khan, The Kashmir Saga, p. 56.

165. Kashmir's Fight for Freedom, Washington, Department of Public Relations, Azad Kashmir Government, p. 3.

166. Prem Nath Bazaz, The History of Struggle for Freedom in Kashmir, Karachi, National Book Foundation, 1976 [first published by Kashmir Pub. [sic] Company, New Delhi, 1954], p. 620.

167. CMG, 8 October 1947. CMG stated that Mr. Anwar is a prominent member of the Kashmir Muslim Conference'. Bazaz, The History of Struggle for Freedom in Kashmir, p. 621, revealed that 'Mr. Anwar' was Ghulam Nabi Gilkar, a member of the working committee of the Muslim Conference. This was confirmed by C. Bilqees Taseer, The Kashmir of Sheikh Muhammad Abdullah, Lahore, Feroz sons, 1986, p. 317, who stated that Gilkar had once been a 'very loyal worker' of Sheikh Abdullah.

168. Bazaz, The History of Struggle for Freedom in Kashmir, p. 620.

169. Bazaz, The History of Struggle for Freedom in Kashmir, pp. ,620-21. Taseer, The Kashmir of Sheikh Muhammad Abdullah, p. 317.

170. Saraf, Kashmiris Fight—For Freedom, Volume II, pp. 1286—87.

171. Bazaz, The History of Struggle for Freedom hi Kashmir, p. 621.

172. Prasad and Pal, History of Operations in Jammu & Kashmir (1947^18), p. 21.

173. Saraf, Kashmiris Fight—For Freedom, Volume II, pp. 891-92.

174. The tribesmen should have been prevented from entering J&K. CMG, 23 October 1947, published a communique by the NWFP Government on 22 October that stated that: 'Elaborate precautionary measures have been taken all along the border [with J&K] to prevent tribesmen and local inhabitants going into Kashmir state'. CMG, 28 October 1947, stated that the gathering of tribesmen near Peshawar was known some days before the lashkar began to move'. These reports suggest complicity by some Pakistani officials in the Pukhtoon invasion.

175. Although not Sardar Ibrahim, it seems. In The Kashmir Saga, pp. 80-81, he states the tribals were skilled in ambush and hand-to-hand combat ('dagger fighting'), but they lacked the discipline and skills to fight an organised enemy, to captute territory quickly or to engage in conventional warfare.

176. Bazaz, The History of Struggle for Freedom in Kashmir, p. 622.

177. See Appendix VII: Main Office Holders of Azad Kashmir.

178. Birdwood, Two Nations and Kashmir, p. 81.

179. Sardar M. Ibrahim Khan, The Kashmir Saga, p. 51; 'Statement showing the Results of the [1947] Elections', in The Jammu and Kashmir Praja Sabha Debates, p. 4.There were '16,229'possible votes in the 'Bagh Sadnooti Muslim' constituency.

180. Saraf, Kashmiris Fight—For Freedom, Volume II, p. 1288.

181. CMG, 24 July 1947.

182. Saraf, Kashmiris Fight—For Freedom, Volume II, p. 712.This 'historic'resolution is on pp. 711-12.

183. CMG, 3 July 1947.

184. HGS, 'Poonch 1937—1947', p. 3, in Powell Collection, Papers and Correspondence.

185. Saraf, Kashmiris Fight—For Freedom, Volume II, p. 1288.

186. 'Statement showing the Results of the [1947] Elections', in The Jammu and Kashmir Praja Sabha Debate,p. 3, shows that 'Ch. Hamid Uliah' obtained 1,357 votes of the 1,925 votes cast out of a possible 3,104 votes to beat three other candidates and be elected for the Jammu City (Muslim)' constituency in the Praja Sabha.

187. Bazaz, The History of Struggle for Freedom in Kashmir, p. 626.

188. Islam, The Revolution in Kashmir, p. 7.

189. Sardar M. Ibrahim Khan, The Kashmir Saga, pp. 61, 62.

190. Saraf, Kashmiris Fight—For Freedom, Volume II, pp. 1288-89.

191. Sardar M.Ibrahim Khan, The KashmirSaga,p.98.

192. CMG, 25 October 1947.

193. TOI,2S October 1947.

194. Saraf, Kashmiris Fight-—For Freedom, Volume II, p. 1288.

195. CMG, 25 October 1947, reported this communique in its entirety.

196. CMG, 1 November 1947, reported 'a communique issued by the Azad Kashmir Government'.

197. Keesing's Contemporary Archives, London, Longman, Volume VI (1947), p. 8931.

198. The Times, 1 November 1947.

199. CMG, 28 October 1947.

200. Hafizullah, Towards Azad Kashmir, p. 105.

201. CMG, 29 October 1947. Curiously, the Azad Kashmir Government also requested 'India and Pakistan not to use the Kashmir aerodrome [i.e. Srinagar] because it is unsafe'.

202. Sardar M. Ibrahim Khan, The Kashmir Saga, Second Edition, pp. 209-210, states in an added new chapter, 'Some Blunders Committed in Kashmir', that, in November 1947, he wanted Pakistan to accept an accession from the Government of Azad Jammu and Kashmir, a 'parallel' (or rival) government in J&K that 'had liberated at least half of the state'. This would have given Pakistan 'a good enough legal coverage' to allow the Pakistan Army then to enter J&K. Jinnah 'almost adopted' this position in November 1947, but Liaquat Ali

Khan rejected it. According to Ibrahim, had the Pakistan Army entered J&K then, 'things would have turned in our favour'. Instead, Pakistan committed a grave error'.

INDIA AND PAKISTAN:

NEGATING THE PEOPLE'S ACTIONS

Introduction

Since 1947, India had deliberately denied or ignored the significant pre- accession actions by the people of Jammu and Kashmir that divided the princely state and instigated the dispute over it. Instead, to enhance its own position and to weaken Pakistan's, India has mounted an argument that Pakistan started the Kashmir dispute. The Indian argument, which is now accepted —but incorrect– –view, goes like this: on 22 October 1947, Karachi deliberately sent Muslim Pukhtoon tribesmen into Muslim-majority J&K to physically seize the princely state for Pakistan; New Delhi, after obtained Maharaja Hari Singh's accession on 26 October 1947 and with the support of secular Kashmiri Muslims, magnanimously deployed Indian military force to J&K on, and after 27 October 1947 to defend and free J&K from these 'raiders'; the Pakistani action of sending the Pukhtoons initiated all of the troubles in J&K and instigated the dispute between India and Pakistan over which should possess this state.

While it is indisputable that Pukhtoons invaded J&K in 1947, there is contention about whether the Pakistan Government was responsible for dispatching these Pukhtoons or not. It is outside the scope of this article to determine this issue.[1]what can be said is that, by focusing on the raiders—as India called those Pukhtoons—and their often deplorable actions in J&K

against people of all religions, India was able to seriously embarrass Pakistan. Additionally, New Delhi negated the independent actions of pro-Pakistan J&K Muslims by including them with those despicable Pukhtoons. Karachi could not fend off India's pointed accusations that Pakistan had sent the raiders. Curiously, it also was unwilling to strengthen its case by highlighting the pre-accession actions by the people of J&K. Instead, Pakistan sought ––unsuccessfully––to broaden the argument by questioning the legitimacy of Hari Singh's accession and by raising associated issue such as the status of the (also disputed) princely state of Junagadh and Hyderabad and India's role in these. Pakistan's ploys failed. Instead, the Indian view of history prevailed and Pakistani Pukhtoons (incorrectly) came to be seen as instigators of the Kashmir dispute, not the people of J&K. equally, the people's significant post-partition, pre-accession actions discussed previously forgotten or deliberately ignored.

This Chapter examines how India and Pakistan over looked or negated the three significant actions taken by the people of J&K in 1947. It provides evidences to confirm that India's political leaders knew that the Jammuites' actions predated the Pukhtoons invasion of J&K and instigated the dispute over whether J&K should join India or Pakistan. It shows how Pakistan was unable to prevent itself from acquiescing in India's tactic of propagating the view that Pakistanis instigated the Kashmir dispute.

India's negation

Since 1947, India has consistently claimed that all violence in J&K started when Pukhtoon raiders sent by Pakistan entered Kashmir Province on 22 October. As Bazaz noted, for 'Nehru and his supporters aggression [in J&K] begins from the movement tribesmen entered kashmir',[2] However, the evidence confirms that India's leaders were aware of J&K internal situation well before the Pukhtoons invaded Kashmir Province. Sheikh Abdullah, who knew about the Jammu violence, provided information to the Indian's, particularly to Jawaharlal Nehru. [3] Details of members of the Indian Government were, as Nehru informed his Pakistani Prime Ministerial counterpart, Liaquat Ali Khan, 'derived largely from statement appearing in the press'.[4]By 22 October 1947, there had been a number of press reports published about events in Jammu Province. Some appeared in early September; more appeared in October. Specifically, reports published about events in Poonch before the Pukhtoons' invasion included *CMG* (4 September and 2,5,19 and 21 October 1947); *The Times* (8 September); and *TOI* (15,17,19 and 20 October 1947). Reports published about Jammu's inter-religious violence before the Puktoons invasion included *CMG* (26 September and 19 and 21 October). *CMG* was one of the best source of news about J&K —and a newspaper that Nehru, given his interest in J&K certainly read on occasions. On 30 December, Nehru informed Patel that this Lahore-based paper had the 'latest evidence' on a 'conflict' between the Muslim Conference and the Azad Kashmir Movement.[5] Nehru and Patel also knew through other

sources what had been happening in J&K before the Pukhtoon invasion. On 2 October 1947, Patel wrote to Maharaja Hari Singh stating that he (Patel) was expediting telegraph, telephone, wireless and road links between J&K and India as 'we fully realize the need of dispatch and urgency and … we shall do our best' to fulfil these.[6] Patel wrote this letter 20 days before the Pukhtoons' invasion and 26 days before the Maharaja's accession. He may have been trying to help J&K with its difficulties obtaining supplies, including petrol, from Pakistan, although Pakistan does not mention this.[7] Rather, it appears he was preparing for Hari Singh's alignment with, or even his accession to, India, something Nehru had five days earlier (on 27 September) suggested to Patel should be achieved 'as rapidly as possible.[8] Patel also mentions in his letter to Hari Singh that he (Patel) had personally delivered the rulers letters to justice Mahajan in Amritsar and that Patel understood the (pro-Indian) Mahajan would 'very shortly' join the ruler's staff (as Prime Minister) Patel made his extraordinary personal efforts because he had been in search of a 'proper person' to be' a good man in Kashmir' for India since late August 1947.[9] Patel also was pleased 'that the Maharaja had proclaimed a general political amnesty—which actually applied only to National Conference members. Hari Singh had released his old adversary Sheikh Abdullah, something Patel had been seeking since April 1947.[10]

Nehru, for whom J&K's future was 'both of Personal and public' matter, knew what was actually happening in J&K as a letter to Sardar Patel on 5 October 1947 shows.[11]Nehru enclosed a report about J&K from

Dwarkanath Kachru, secretary of the All-India States Peoples' Conference, who had been in Srinagar for four days.[12] Kachru made nineteen points. His first and second were that: the National Conference had 'decided for the Indian Union'; this decision had not been announced. Kachru's fifth point was that the recently released Abdullah was delivering speeches saying that the 'killings of Hindu's and Muslims [we] re un- Hindu and un-Islamic'. As there was almost no communal violence in The Kashmir Valley, Abdullah was clearly referring to other areas, chiefly Jammu, were inter- religious violence was then worsening. Kachru's eighth point discussed 'the utter collapse of [J&K's] administrative and government machinery'. Three weeks before the Pukhtoons' invasion, India was reliably informed that Hari Singh had lost control of his princely domain.

There also is evidence that India and its Prime Minister, Jawaharlal Nehru, know that many so-called raiders active in J&K were not form outside J&K—as the term raiders infers. India knew that the Maharaja's opponents comprised local men from J&K who were state subjects entitled to be there. As noted previously, Abdullah stated in New Delhi on 22 October — before news of the Pukhtoons' invasion had broken outside western J&K— that the 'present troubles in Poonch' were because of 'a peoples movement for the redress of their grievances'.[13]Abdullah did not mentioned raiders or outsiders. Indeed, his explanation of events in Poonch suggested where possible Indian confusion about 'raiders' arose:

> Most of the adult population of Poonch … had close connections with the people in Jhelum and Rawalpindi. They evacuated their women and children, crossed the frontier and returned with arms supplied to them by willing people. The present position was that the Kashmir state forces were forced to withdraw in certain areas.[14]

Abdullah confirmed the close links between Poonchis and their neighbours. When re-entering the princely state, Poonch man may have appeared—to the uninformed or prejudiced eye—to be from outside J&K. but, as Abdullah knew and stated publically, many were J&K citizen returning to defend their homes and land from the unpopular Maharaja's action.

The most important point about Sheikh Abdullah's statement is that, if he knew what the people of Poonch were doing when he spoke in New Delhi on 22 October 1947, almost certainly he would have informed his secular colleagues. In particularly , Abdullah probably would have discussed this issue with his close, pro-Kashmir friend, Jawaharlal Nehru, whose interest in Kashmir and its future was, as he had informed Abdullah, 'of the most intimate personal significance'.[15] Hence, if Abdullah know, so too did Nehru. On 2 October 1947, soon after the Pukhtoon invasion, Nehru sent a letter to his 'Prime Ministers' showing he had listened to Abdullah. Reflecting Abdulla's statement, Nehru informed them that the actual tribesmen among the raiders are probably limited in numbers, the rest are ex-servicemen.[16] Part of the Muslim element in the Kashmir [armed] forces has

also gone over [to the pro-Pakistan forces].'[17]By 'tribesmen' Nehru meant Pukhtoons: by ex- servicemen, he meant Poonchis, some 60,000 of whom had served in the (British) Indian army.[18]Nehru also knew that the 'Muslim element in the Kashmir [armed] forces' were state subjects, usually Muslim Rajputs, from Jammu.

It statements made later in 1947, Nehru clearly understood that (outside) raiders were not responsible for all violent incidents in J&K in 1947. Speaking in the Indian Constituent Assembly on 25 November, he noted that some Jammuties, chiefly Hindus and Rajputs who lived near the J&K-Pakistan border, were responsible for taking 'retaliatory measures' against Muslims and driving them out of villages in various border conflicts'.[19] in a letter to Maharaja Hari Singh on 1 December, Nehru spoke of the raiders and the Poonchi rebels' and said that, in the event of the plebiscite, there was 'little doubt' that the mass of Poonch's population would 'likely be against the Indian Union'.[20]On 30th December, the Prime Minister also pointedly told Hari Singh that the anti-Muslim policy 'recently pursued' in Jammu Province had 'alienated' Muslims 'very greatly': ' a large part of our difficulties in [J&K] is due to previous wrong policies and mistakes… the occurrences in Jammu and roundabout [sic] towards the end of October and early in November are associated … with Mr. Mahajan's administration and they have had a disastrous result.'[21]

In Mountbatten's record of a conversation on 8 December involving Nehru, Liaquat and others, Mountbatten stated that Nehru had said that, if India withdrew its troops, J&K would be 'at the mercy of the

armed men of Poonch.' [22] Writing to Mountbatten on 26 December, Nehru acknowledged that the 'inhabitants of Poonch were a different element from the outside raiders.[23] Thus, while Nehru usually spoke publically about raiders, he knew that a significant proportion of men engaged in anti-Maharaja, then anti-Indian activities in J&K comprised a large local J&K element.

Indian's leaders were also aware of a Possible Pukhtoon invasion of J&K beforehand. As early as 27 September 1947, Nehru wrote to Patel 'about Kashmir' telling Patel that he (Nehru) was aware of what was going on from the many reports he received.[24] This included information that the Muslim League in Punjab and NWFP—the Pakistan Government was not mentioned—were 'making preparations to enter Kashmir in considerable numbers'. (Nehru's speech in the Indian Constituent Assembly on 25 November confirmed India's awareness in September of these preparations.)[25]Nehru told Patel that, owning to the forth coming onset of winter, the intruders would enter Kashmir Province via the Jhelum Valley Road 'by the end of October or, at the latest, the beginning of November'. The 'Pakistan strategy [wa]s to infiltrate into Kashmir now and to take some big action as soon as Kashmir is more or less insolated because of the coming winter'. Nehru concluded that 'time [wa]s of the essence' and that the accession of J&K to India should be brought about 'as rapidly as possible with the cooperation of Sheikh Abdullah.' Patel obviously believed Nehru for he (Patel), in turn, wrote to India's Defense Minister, Sardar Baldev Singh asking him to immediately send arms and ammunition to J&K, by air if

necessary. ‘There [wa]s no time to loss’, because it appeared that the Pakistani intervention was ‘going to be true to [the] Nazi pattern’.[26] Presumably this ,meant swift, overwhelming and brutal. Patel wrote to Singh on 7 October 1947, a fortnight before the Pukhtoons entered J&K.

Despite India’s foreknowledge of events in, and related to, J&K, Indian statements after the Maharaja’s accession on 26 October 1947 almost always only talked of raiders —and not Poonchis, Mirpuris, or men from J&K. India’s intention was twofold: first, to infer that these raiders were outsiders from J&K who had every intention of doing harm; second, to show that the raiders had mounted all anti-Maharaja operations in J&K, and not any locally disgruntled J&K state subjects. On 3 November 1947, Prime Minister Nehru set the tone in a broadcast about ‘events in Kashmir.’ His foreign policy statement entitled ‘invasion of Kashmir’ in the constituent Assembly following on 25 November.[27] In his radio address, Nehru stated that ‘considerable parts’ of J&K had been ‘overrun by raiders from outside’.[28] Referring to Jammu’s problems before the Pukhtoons’ invasion, he stated that India did not ‘interfere’ in Jammu ‘even though the part of Jammu Province was overrun by these raiders’. He also claimed that 95 Villages were destroyed by ‘the raiders from Pakistan’ and that ‘a considerable part of Poonch and Mirpur [wa]s in possession of the Raiders’. Nehru deduced that ‘the struggle in Kashmir [wa]s a struggle of the people of Kashmir against the invader … We talk about the invaders and raiders in Kashmir … All of these have come across and from Pakistan territory’. For Nehru,

it was emphatically clear: the people causing problems in J&K were raiders were supported by Pakistan.

Nehru was obfuscating. He knew that people in J&K themselves had opposed the Maharaja, by military means among others. Nehru had been aware of the actual situation in J&K before the Pukhtoons' invasion. The main Physical struggle there had been a fight by people in Jammu Province against the Maharaja and his armed forces. Their struggle had begun well before the Pukhtoons' invasion. A further action was the serious inter- religious violence that began in Jammu in September 1947, possibly with the ruler's connivance (as discussed previously), and which may have inspired the Pukhtoons' invasion. The 'rebels' involved with the Poonch uprising almost certainly received some support from their Pakistani brethren across the porous border. Some of whom were related by blood or marriage, particularly in the Hazara region of NWFP. Nevertheless, very few of these rebels were raiders who had come 'across or from' Pakistan territory. Most were men from Jammu Province entitled to be in J&K.

From late October 1947 onwards, official Indian publications usually spoke only of raiders when referring to anti-Maharaja, then anti-India in, activities in J&K after 15 August 1947. Indeed, by mid- 1948, use of this terminology appeared to be official government policy, with the Government of India's 1948 *White paper on Jammu and Kashmir* setting the standard. Its summary of 'Events Leading to the Accession of Jammu and Kashmir to India' did not mention the violence in Jammu and the formation of Azad Kashmir movement; even though, in a

report from New Delhi dated 27 October 1947, TOI reported that about ten days ago … [Poonch] insurgents … established a "Provisional Azad Kashmir Government", with its seat in Poonch'.[29] As it was a Bombay–based newspaper and as the story emanated from New Delhi, the TOI's reporter was available to Indian Government officials. The *White Paper* also dismissed the Poonchis' anti-Maharaja activities as being instigated and led by 'armed gangs from Pakistan'.[30]A New Delhi communiqué of 1 November 1947 went further: these activities were 'feints in the Poonch area to disguise the line of the main [Pakistani] attack'.[31] The *White Paper* did (inadvertently?) include one press report from Palandari, the headquarters of the 'organization Muslim military and political rebellion aimed at driving Kashmir to Pakistan' — that is, the Azad Kashmir movement dated 11 November 1947, the report significantly suggested that the 6,000 rebels comprised local state subjects, including 'a few Pakistan Army Officers who have taken leave to fight with their [Azad Kashmiri] people'.[32]This was highly likely given how many Poonchis have martial experience and given that Poonchis serving in the Pakistan Army probably had a strong desire to defend their homelands in 1947.[33]

Similarly, an official Indian Government Publication of 1949 entitled *defending Kashmir* claimed that cross-border harassment by 'raiders from Pakistan' provided the prelude to the Pukhtoons' entry.[34] According to it from 3 September until the full-scale invasion begin on 20 October 1947(Pukhtoons entered Kashmir Province on 22 October), these raiders pierced the border 'at several points almost every day'. The only mention of Poonch in

Defending Kashmir was in the chronology of 'Border Incidents before 27 October, 1947'. This noted, almost certainly correctly, that on 4 October '[Sardar] Ibrahim Khan of Punch [Poonch] … was trying to send arms and ammunition to Poonch' from Murree.[35] Equally, there was probably other cross-border support from Pakistanis for Poonchi and Mirpuri rebels. Nevertheless, local J&K Muslim men almost certainly under took the bulk of the anti- Maharaja action. Apart from the significant instability in Punjab itself, Pakistan and Pakistanis had few resources to spare in 1947. Conversely, Pakistan also may have confronted serious cross- border activity across the Sailkot-Jammu border in 1947. This involved killings of Muslims mainly, but also of some Dogras and Sikhs, destruction of property and crops and loss of property. 'Kashmir state forces' allegedly committed some of this violence.[36]

Indian writers soon began emulating 'official' Indian terminology of raiders. In 1950, D.F.Karaka claimed that 'After partition' when the British had quit, His Highness[Maharaja Hari Singh] found himself confronted with a new situation …a savage tribe of raiders which had appeared on the borders of his state were soon pressing inwards towards Srinagar.'[37]

Following the Indian tactic, Karaka made no mention of any anti-Maharaja or inter- religious activity anywhere in Jammu Province prior to the Pukhtoons' arrival. For 'astonished' Indians like Karaka , the situation was that, first, Pukhtoon 'raiders' suddenly arrived in J&K unannounced; second, Pakistan had inspired and induced and /or ordered them to seize peaceful J&K from the

pacific Maharaja for Pakistan; and third, the Pukhtoons' invasion of J&K marked the beginning of all anti-Maharaja, then anti- Indian violence in J&K. it was a simplistic and inaccurate portrayal of events that Pakistan would find impossible to counter.

An examination of India's White Paper

India's use of the term raiders to describe the Maharaja's opponents in J&K before the Pukhtoons' invasion was incorrect and unsubstantiated, as an examination of *India's White Paper on Jammu and Kashmir* shows.[38] Tabled in March 1948, the *White Paper* was the Government of India's first detailed and official document about the Kashmir dispute. It sought, in four parts, to provide 'factual information backed by the relevant documents' about events leading up to: Part 1) the accession Part 2) 'the invasion … by raiders from Pakistan'; Part 3) Pakistani's 'complicity' in this; and Part 4) India's objectives in J&K.[39] In relation to Part 1, the *White Paper* presented thirty-one documents. Of these, only one provided an evidence of people from outside J&K entering the state before 22 October 1947 (after which date outsiders indisputably did enter J&K in large numbers). This document was the copy of Major-General Scott's report on 4 September about '400 Sattis' entering J&K from Kahuta.[40] As discussed previously, this could have been correct or it could have been a case of 'mistaken identity' .

The *White Paper's* introduction to Part One also provided some startling information. It spoke of some 'four to five thousand raiders in green uniforms' in the

Mirpur area on 15 October and 'heavy fighting' taking place 'along the Kotli-Poonch road' on 18 October.[41] If true, this described an extraordinary situation that predated the Pukhtoons' invasion of J&K and which was of an equal magnitude to it, perhaps even greater. Somewhat surprisingly, the Maharaja did not seek defensive help from India nor did India publicize this important intrusion by alleged foreigners. There is a simple explanation for this: the 'raiders in green uniforms' were not outsiders. Almost certainly they were local Muslims wearing their old Indian army uniforms who had gathered to oppose the—by then highly unpopular—Maharaja. Furthermore, for such a large force from Pakistan to reach, then breach, the Kutly- Poonch road and thereafter maintain this position would have been very difficult, given J&K's poor infrastructure and the relatively isolated and sometime difficult terrain through which this road traversed.[42] Local knowledge and local connections would have been needed.

An analysis of the *White Paper* further shows that its introduction to Part 2 belies India's inference that all of the so-called raiders fighting in J&K were from outside the state.[43]Simply entitled 'The invasion', part 2 provided eleven documents. All dealt retrospectively with the events. According to the introduction to Part 2, the composition of the 'attacking force' had been determined on the basis of operations around 'Nowshera' (Naushera), north- east of Mirpur, in December 1947 and a subsequent body count. It comprised 70 per cent 'Pathans and Muslims from Dir and Swat States' in NWFP, 20 per cent 'deserters from state forces', 5 per cent 'from

Poonch' and 5 per cent 'Sundas', which may possibly have meant Sudans /Sudhans from Poonch. The percentage of Pukhtoon seemed excessively high, given how for 'Nowshera' was from NWFP. As for the remaining 30 per cent of the attacking force, these men were almost certainly not external raiders at all. Poonchis were state subjects, as were 'Sundhas' (Sudhans), from Sudhnoti *tehsil* in south-eastern Poonch Jagir. Most 'deserters' were probably J&K Muslims, given that, apart from 1,000 Gurkhas, the Maharaja's military force comprised Hindus(predominantly) and Muslims from Jammu.[44]

Similarly, parts 3 and 4 of the *White Paper* provided no hard evidence that advanced India's case, implicated Pakistan. The introduction to Part 4 blindly stated that there was 'abundant circumstantial evidence to show that Pakistan has aided and abetted the "Tribal" invasion' of J&K.[45]The evidence was just that —— circumstantial. Part 3, entitled 'complicity of Pakistan in the invasion of Kashmir', provided twenty-one documents. All were dated after 22 October 1947, except for one press item dated 16 September, reporting that an NWFP Muslim group would engage in a '*Jihad*' if the Maharaja acceded to India. Part 4, entitled 'India's objectives', which comprised forty-five of the *White Paper*'s eight- nine pages, provided ninety- eight documents. All dealt with India's and Pakistan's activities in, or stance on, J&K. this was possibly the *White Paper's* best feature: it provided an excellent and comprehensive account of both dominions' early official exchanges—— and vastly differing stance ——on what by now had become known as the 'Kashmir dispute'.

A major distraction: Baramulla

One factor enabled India to successfully overlook the role that the people of J&K had played formenting unrest in J&K before, after, the Maharaja's accession. This was the inexcusable excesses committed by Pukhtoon invaders in Kashmir Province, including in Muzaffarabad, Uri and particularly, Baramulla.[46] Pukhtoons attacked, looted and killed not only Hindu's and Sikhs, but also fellow Muslims and foreigners. The press later reported this violence widely— and sometime wildly. It was easy for India to berate Pakistan for sending these despicable 'raiders' to Kashmir. This reporting of Pukhtoon atrocities irretrievably tipped the publicity scales in the Kashmir dispute in India's favour.

Immediately after the Pukhtoons enter Kashmir Province 22 October 1947, they committed brutal acts which, unlike the Poonch uprising, the press began reporting soon after they occurred. These acts justified the Pukhtoons being called raiders, for raiding is what they mostly did: looted, pillaged and took their booty to their tribal homes. The tribesmen committed many excesses against non-Muslims as they headed towards Srinagar. One (probably Muslim) *lambardar* (headman of a village, probably Kashmiri) detailed some of these incidents and claimed that 'nearly 22, 000 Hindus and Sikhs were killed in villages *en route* from Kohala to Uri'.[47] Sardar Ibrahim, who was in Muzaffarabad at this time(probably facilitating the Pukhtoons' advance to Srinagar), 'ha[d] no hesitation' in bemoaning some unjustified 'killing' by 'our tribal brethren' that he witnessed 'on or about the 22nd, 23rd, and 24th of October'

1947.[48] the most widely reported of the Pukhtoons' excesses occurred in Baramulla where they pillaged heavily and murdered the number of local people. 'Surviving residents' told Robert Trumbull, the correspondent for *The New York Times,* that they estimated that 3,000 people have been 'slain' (and unverifiable figure).[49] On 4 November 1947, *The Times* contained an early and brief report of atrocities. It had particular shock value as he discussed the killing of Europeans: two British subjects, a retired colonel from the Indian Army and an assistant mother superior from the Roman Catholic Convent.[50] after Indian forces recaptured Baramulla on 9 November, Trumbull reported more fully, and sensationally, that :

> This quiet city … was left smoking, desolate and full of horrible memories by invading frontier tribesmen who held a thirteen-day Saturnalia of looting, raping and killing here. The city had been stripped of its wealth and young women before the tribesmen fled … Hardly a single article of value or usefulness was left in Baramulla [sic].[51]

Trumbull also stated that 'only 1,000 were left of a normal population of about 14,000'.This did not, mean that 13,000 people had been killed: many would have fled to try to save themselves.[52] Six days later, *NYT* published two photos of the Baramulla area. One was of captured 'Pathans' (Pukhtoons); the other was of Sikh soldiers digging in before (unseen) 'Marauding Pathan tribesmen'.[53] these reflected India's argument that

Pukhtoons had been and still were, the major problem in J&K.

While Pukhtoons had been indisputably, and unacceptably, 'forthright and ruthless' in Baramulla, it is impossible to verify the number of people they killed nor have any official documents attempted to do so.[54] apart from the above-mentioned figure of 3,000 deaths in Baramulla, the Indian *White Paper* does not provide any other figures for deaths or injuries. Instead, it concentrates on reports detailing the Pukhtoons' activities that justified them being labelled raiders. Lamb calculates that about '400 people [were] killed', a 'not unreasonable figure'.[55] Furthermore —though this does not excuse the Pukhtoons' actions—their 'dramatic but over-notorious happenings' in Kashmir were on a much lesser scale then the poorly-reported anti-Muslim violence in Jammu Province.[56] By cleverly using the foreign and domestic press, India successfully focused local and international attention on its Pukhtoon opponents' brutal activities in Kashmir Province and away from ongoing violence in Jammu Province, particularly that committed (somewhat embarrassingly) by Hindus and Sikhs against Muslims. India did so even though the number of deaths in Kashmir neither been established nor verified.

Put simply, India successfully demonised its pro-Pakistan opponents in Kashmir. It did so despite fresh violence that took place in Jammu Province after the Pukhtoons actually committed their atrocities in Baramulla, and which India chose not to publicize. Privately, Nehru informed his Chief Ministers on 15

November 1947 about the 'fierce communal passion' going on in Jammu Province that involved RSS, Akali Dal and Muslim League elements and was full of 'explosive possibilities'. On 16 November, Sheikh Abdullah and five advisers flew to Jammu as communal feelings were (still) 'running high and clashes [were] occurring between Muslim villagers and Hindu and Sikh refugees'.[57]On 21 November, India's Prime Minister expressed deep regret to his Pakistani counterpart Liaquat Ali Khan, for the 'heavy casualties' suffered by Muslims early in November when two convoys of them were brutally attacked in Jammu. [58] Nehru confirmed his statement in the Indian Constituent Assembly on 25 November.[59] But for him, the Jammu violence compared (unfavourably) with the concurrent 'remarkable communal unity' in the Kashmir Valley, where Muslims, Hindus and Sikhs had 'demonstrated cohesion of purpose and effort in the face of a common danger'—the Pukhtoon raiders sent by Pakistan.[60]

Reports such as Robert Trumbull assisted India to demonize its opponents and to overlook local involvement in events in J&K. Journalists enjoyed greater excess to the Kashmir Valley then to Jammu because of the former's compactness, better main roads and relatively better communications. They were aided when, after accession, Sheikh Abdullah and his National Conference, with strong support from Nehru, gained control of J&K's media. It was advantageous of pro-Indian/anti-Pakistani elements to have visiting journalists report on Pukhtoon brutality in Kashmir Province. However, most journalists could not distinguish between

the various elements comprised the anti-Indian forces in J&K. In variably, they merged rebel Poonchis with Pukhtoon raiders.[61]Until early 1948 *The Times*, on occasions could still discriminate between rebels and raiders, but these movements became increasingly rare. In early January 1948, despite talking about the raiders previously, its 'Delhi Correspondent' stated that 'according to a reliable estimate the Azad forces consist of about 60 per cent Poonchis [sic] and other Kashmiri Muslims, 35 percent. Pathan tribesmen, and 5 per cent Punjabi Muslims'.[62]That is, 60 per cent of these forces comprised men from J&K.

Apart from the Baramulla brutalities, there is little record of any other atrocities being committed by Pukhtoons. Indeed, after they became more disciplined, and when the [ir] outrages seized the Muslim population increasingly rallied to their support'. India's military forces were then 'fighting in hostile country, and much out numbered'.[63] This altered situation may have reflected the strong desire that many J&K Muslims, including those in the Kashmir Valley had to join Pakistan.

In India's defense, one reason why it may have focused on the Pukhtoons was that it and Pakistan had different perceptions and experiences of what happened in J&K in 1947. While Pakistani's were enraged by what happened to Muslims in Jammu, Indian's had 'largely had undeservedly forgotten' the 'Poonch rebellion':

> Indian minds are not haunted by recollections of burning and killing by the Maharaja's Dogras [in Jammu]. They see the situation as saving

> the lovely Vale of Kashmir … from the fate of Baramulla [sic], which was sacked by tribesmen. Thus no real argument takes place between the two dominions, because they are talking about different situations.[64]

That said, Indian also told only selective truths about what happened in J&K. These assisted their nations cause significantly. Indeed, India's tactic of making the Pukhtoon raiders the object of aversion in J&K successfully made the National Conference appeared to be the most popular, and decent, political party in J&K. as one pro- Pakistan writer writing in 1948 bemoaned, it was 'the greatest travesty of facts when India put up the hoax of the "raiders" to come to the help of the Maharaja against his people'. [65]

Pakistan's acquiescence in India's tactic

After, and as a result of, the negativity associated with the Pukhtoons' invasion of Kashmir Province in October 1947, Pakistan soon found itself under pressure from India to deny having sent these raiders. Unable to fend off India's accusations, Pakistan acquiesced in India's tactic of defining all trouble makers in J&K as raiders and blaming all of J&K's internal problems on them. Pakistan did so by failing to do three things. First, it failed to successfully publicise the vital role that Muslims in Poonch particularly, and Mirpur played instigating the anti-Maharaja violence in J&K before the ruler's accession to India on 26 October 1947; this would have highlighted these state subjects primary role in opposing the harsh autocrat, and it might have overshadowed, or at least put

into perspective, the much briefer role that non-state subjects (Pukhtoon Muslims) played. Second, Pakistan failed to highlight the large number of Muslims killed or made homeless by significant anti-Muslim violence in Jammu Province in 1947, particularly the violence committed before Hari Singh's accession, some of which the ruler may have sanctioned, knew about or been involved with. This could have counterbalanced the negative effects of the Pukhtoons' opportunistic —in terms of looting and pillaging —actions in Kashmir. Third, Pakistan failed to grant *de jure* recognition to the Azad Kashmir Government. As it lacked legitimacy in Pakistani eyes, the new government's ability to promote itself as the only true representative of the people of J&K was severally hindered. It was also unable to rival the Indian-sponsored Abdullah government that New Delhi successfully promoted as the true J&K government after, and as a result of, Pukhtoons' brutality.

Despite their inept performance, Pakistan's leaders certainly new about what have been happened in Jammu Province after partition, particularly in Pooch. Like the Indians, they had access to press reports. Another source of information was reports about local events received from Muslim Conference members and other pro-Pakistan elements in J&K.[66]These included a report by 'G. Mohamed' as early as 25 August 1947 about the tense inter-religious situation in J&K.[67]He specifically mentioned the situation in Poonch where 'there is already trouble where some arrests have been ,made and civil disobedience has been started by the Muslim Conference'.(presciently, Muhammad deplored the

Pakistan Government's 'most appeasing and conciliatory' attitude and the Muslim Leagues disinterest and silence on J&K's future which could cause J&K 'to be lost' by Pakistan.) On 29 August, Pakistan's Governor-General, Muhammed Ali Jinnah received two brief telegrams from 'Muslims of Poonch' and 'Muslims of Bagh'. The former spoke of being 'ruthlessly slaughtered by [the J&K] State military' the latter stated that an estimated five hundred lives' were lost when the J&K Government opened fire on the Muslim public.[68] On 13 September, the Muslim Conference informed Jinnah by telegram of the '[a] trocious military operation in Poonch' in which the public was 'being looted and shooted [sic] at random'.[69] On 30 September, the 'Kashmir Muslims association' sent Liaquat a similar telegram stating that Muslims were being ruthlessly butchered in Poonch'.[70]Thes various communications informed Pakistani officials about what was happening in Jammu Province. The language used should have alarmed them.

Public utterances and diplomatic exchanges also confirm that senior Pakistani's knew about anti-Muslim violence in Jammu Province in 1947. On 26 October, Jinnah wrote to the Maharaja about the J&K Government's policy of 'suppressing the Musalmans in everyway' and of 'atrocities … being committed by J&K troops' that were driving Muslims out of J&K.[71]Liaquat, based in Lahore, appeared to be even better informed. On 18 October, he complained to J&K's Prime Minister about the 'mounting exigence [sic] of ruthless oppression of Muslims'.[72] On 1 November Liaqaut complained to India's Governor- General, Lord Mountbatten about the

Maharaja allowing his troops to 'massacre Muslims in The Poonch and Mirpur' areas.[73]On 4 November, in a broad cast about J&K, Liaquat informed the Pakistan public of bestial 'deeds perpetrated on the people of Kashmir', especially the Poonch uprising.[74] By early December, after receiving 'first-hand evidence' from refugees he had recently met in Sialkot and Rawalpindi, Liaquat believed that the loss of life among Jammu Muslims ran into 'six figures'.[75] Pakistan knew that considerable that anti-Muslim violence had occurred in Jammu. Pakistan's leaders also knew about the formation of the Azad Kashmir Government, although they did not wish to recognise it. The Pakistan Prime Minister's 'statement' on 16 November 1947 confirmed his knowledge of Azad Kashmir's existence.[76] According to Liaquat, Pakistan had no control over the forces of the 'Provisional Government of Kashmir', although Pakistan was prepared, in conjunction with India to make war on the Azad Kashmiris if they did not obey a cease fire that Liaquat was proposing. This position was important. J&K was part of the strategic 'game' Pakistan was playing with India in 1947-48 to obtain the three contested princely states of J&K, Junagadh and Hyderabad. Karachi did not want to jeopardise its position on J&K by supporting the unelected government in the part of J&K while, conversely, seeking a plebiscite for all of J&K. Recognizing the Azad Kashmir Government also would have contradicted Pakistan's position in Junagadh were Karachi already had rejected the unelected pro-Indian Provisional Government. Similarly, such recognition would have contradicted Pakistan's position on Junagadh and Hyderabad and its original stance on J&K–whereby only

the ruler decided the accession issue. Pakistan had to deal with some major double standards and incompatible inconsistencies.

Guilt or embarrassment is the main reason why Pakistan was unable to prevent itself from acquiescing in India's tactic of blaming all of J&K's internal problems on raiders. The Pukhtoons invaded J&K after coming from and through Pakistan. Thereafter, Karachi had to defend itself from New Delhi's allegations—which had credence ——the Pakistan had organized, or at least allowed, the undisciplined Pukhtoons to cross its territory and illegally invade J&K.[77]As New Delhi saw it, generous India and its armed forces, with much courage, were repelling and 'protecting' the poor of Kashmir from the Pakistan-inspired raiders. Confronting such Indian virtue and such Pakistani guilt, Karachi sought to obfuscate the role that Pakistan had played in supporting any Muslim activities in J&K, regardless of whether these activities were by local people or by outsiders. Pakistan broadened its agenda with India to include matters such as the legality of the, Maharaja's accession to India, India's role in this (which Karachi saw as devious) and the Junagadh issue.[78]This stance began as early as 16 November 1947 when Liaquat, in his 'statement', spoke about Junagadh in detail before discussing J&K.[79] This marked a change from his long radio address on 4 November when Liaquat kept fairly strictly to J&K matters.[80] By broadening the range of India- Pakistan issues, Pakistan deflected some attention from its role assisting raiders in J&K.

In broadening the range of India- Pakistan issues, Pakistan could not avoid acquiescing in India's

tactic of blaming all of J&K's internal problems on raiders, after New Delhi involved the United Nations in the Kashmir dispute in late December 1947, India and Pakistan engaged in a bitter diplomatic, legal and propaganda battle. This was fought over issues such as the proposed plebiscite and how to implement the various United Nations resolutions, and associated issues such as India's unilateral integration of Junagadh and Hyderabad. By 1950, for Pakistan, its dispute was about their mutual peace and prosperity and maintaining international peace; the people of J&K had become peripheral.[81] Pakistani's were pursuing an international role not promoting the J&K peoples anti –Maharaja actions in 1947. Not only did Karachi therefore effectively acquiesce in New Delhi tactic the legitimate role played by the people of J&K particularly Muslims, in dividing J&K and instigating the dispute over J&K's international status was obliterated. This marginalized the people of J&K. Thereafter, they had little involvement in attempts to resolve the dispute over what was after all, their homeland.

Further evidence to Pakistan's inability to successfully highlight Muslim activities in J&K in 1947 comes from public utterance by major Pakistan spokesmen from about 1950. Very little was said before then. Zafarullah Khan, Pakistan's foreign Minister and Mushtaq Ahmed Gurmani Minister for Kashmir Affair, failed to publicise the 1947 activities by, and against Muslims in J&K. Both overlooked the anti-Maharaja, pro-Pakistan uprising by J&K Muslims in Gilgit in early November 1947. Only in 1950 did Zafrullah mention that

'a vigorous freedom movement had already started within a state and had made considerably progress before the tribal incursion took place'.[82] Talking of the 'massacre' of J&K Muslims, Zafrullah used *The Times'* report that quoted the 'extermination' of 237, 000 Muslims in Jammu. Not only did he give the incorrect publication date, but in addition this was only a secondary source. Zafrullah also failed to mention the Azad Kashmir movement, although he did mention the 'Azad Kashmir forces.' Given that Zafrullah was Pakistan's spokesman at the United Nations, this incompleteness was telling. In 1952, Gurmani spoke briefly of the Poonch uprising and the massacre of Jammu Muslims although he also quoted secondary sources: the estranged Kashmiri, Prem Nath Bazaz, and *The Times*' report (mentioned above).[83]Tellingly, Gurmani spoke neither of the formation of Azad Kashmir nor of the Pukhtoons' intervention. Both men's statements were in keeping with Pakistan's desire to broaden its dispute with India and to divert attention from Pakistan's negative actions in J&K.

A further issue that India was able to take advantage of was the clandestine to entry of Pakistan's army into J&K in May 1948. Although India claimed that Pakistani soldiers were fighting in J&K long before that Pakistan initially refuted these allegation by stating, probably correctly, that such soldiers were J&K local, chiefly Poonchis, on leave from the Pakistan army.[84] this stance became ineffectual when hostile elements(Pakistani Pukhtoons) breached international law by invading J&K in October 1947. To prevent India's

increasingly successful military from overrunning local pro-Pakistan elements during its spring offensive, the Pakistan army entered J&K 'during the first half of May [1948]'.[85] To its discredit, Karachi only informed the United Nations commission for India and Pakistan, the body formed in April 1948 to investigate India and Pakistan's dispute over J&K, between 7 and 9 July 1948.[86]This was three weeks after this 'material change in the situation' in J&K.[87] Pakistan deceitful lack of disclosure further this discredited it---and boost India's credibility.

Conclusion

By focusing on Pukhtoons' invasion, India deliberately neglected the highly significant roles that the people of J&K played in Jammu Province in 1947. Instead, India successfully claimed that Pukhtoon tribesmen —or raiders —instigated the anti-Maharaja violence in J&K. By cleverly using this tactic, India obtained a number of benefits. First, India successfully accused Pakistan of breaking international law by unilaterally sending Pukhtoons across an international border. It then blamed Pakistan for causing the troubles in J&K that encouraged Maharaja Hari Singh to accede to India in order to obtain Indian assistance to defend J&K. This, secondly, shifted attention from any underhand role that New Delhi played obtaining the Maharaja's accession to India and instead, enabled India to sanctify its involvement in J&K as the protector of the invaded people. Third, India was able to focus attention on the endangered Kashmir Valley where India was (temporarily) popular in 1947 and whose residents New Delhi could clearly show had (briefly) been

brutalized by Pukhtoons, thus making Pakistan unpopular. Fourth, it enhanced the position of pro-Indian forces in J&K detriment of pro-Pakistan rebels and highlighted the National Conferences position as according to Indian officials, the 'largest and most influential political party' in J&K.[88] Fifth, it enabled India (and Pakistan) to internationalize the issue and to marginalize the people of J&K from any active involvement in resolving the dispute over their homelands.

India's consistent—and disingenuous—reference to the various anti-Indian forces in J&K as raiders, raiders from Pakistan or invaders incorrectly grouped all internal anti-Maharaja, then anti-Indian, elements in J&K with people from outside J&K who, indeed, were raiders: Pukhtoon tribesmen. Then term 'raider' suggested that Maharaja's and India's opponents were not legitimate state subjects with a genuine and legal right either to be in J&K or to agitate for J&K to join Pakistan. Rather, they were anti-social outsiders making trouble at Pakistan's behest. This overlooked the genuine disgruntlement that many people of J&K had felt with the Maharaja and his administration and then, after accession, with India's involvement in J&K. Large numbers of these disgruntled people were certainly pro-Pakistan. Some almost certainly received help from neighbouring Pakistan and Pakistanis before and after the Pukhtoons' invasion. Many could legitimately be called 'rebels'. But, few, if any, actually were Pakistanis. This explains why India was unable to defeat opponents that New Delhi considered external raiders: India's armed forces were actually fighting internal 'patriotic forces' with local support, local

knowledge and a strong will to win, or at least to protect their homes, lands and families.[89] India's position in J&K would have been much easier if its opponents had been outsiders devoid of local concerns, commitments, connections— and a strong will to oppose.

In addition, the use of the term raider deliberately neglect the role that the Azad Kashmir movement had played—and could have continued to play —representing those in J&K opposed to the Maharaja and to successor regimes. Pakistan's inability to grant *de jure* recognition to Azad Kashmir also hampered its cause. This lack of recognition, coupled with a lake of physical support from the Pakistan government, inspired the Azad Kashmir Government's ability to strengthen and publicise its position as the true representative body for the people of J&K. Similarly, India considered the Azad Kashmir Government an illegal, irrelevant body, and ignored it.[90]Following the two dominions' stances, the United Nations recognized the Azad Kashmir Government only as a 'local authority': one with limited power, control and influence. [91]This belittled the Azad Kashmir movement and total overlooked the rule that it, and those people under its influence or leadership, had played in instigating and then sustaining the Kashmir dispute.

In 1947 —48 there was (at least) two struggles in J&K: a physical fight between the pro- and anti –Pakistan forces, and a concomitant publicity struggle. The first was indecisive, whilst pro-Pakistan forces clearly lost the second. The people of J&K were causalities of India's consistent use of the term raiders. India's tactic, and Pakistan's acquiescence in it, advanced the perception

that these people had been politically inactive prior to the Pukhtoons' arrival. Their role as instigators of the Kashmir dispute was forgotten. Their status as legitimate stakeholders in this dispute was ignored. They were effectively marginalized. Fairly quickly, the Kashmir dispute became a bitter military, diplomatic and propaganda struggle solely between India and Pakistan. Indeed, by mid-1948, India and Pakistan's feud over which should possess J&K had come to dominate everything to do with the former princely state. Nevertheless, there was one indisputable fact concerning J&K: Azad (free) Jammu and Kashmir had come into existence.

Notes:

1. Ian Talbot, Pakistan: A Modern History, London, Hurst & Company, 1998, p. 115, footnote 86, believes that the balance of evidence seems to indicate that the Pakistan Government did not instigate the tribal incursion which was a spontaneous Jihad, although NWFP and Punjab officials and politicians sympathised with the action and on occasion assisted the transit of the tribesmen'. Andrew Whitehead, A Mission in Kashmir, New Delhi, Penguin Viking, 2007, various pages, who meticulously discusses the Pukhtoons' invasion of J&K, suggests that at the very least Pakistanis, including Jinnah, knew what was going

on. On p. 51, Whitehead states that "The Pakistani authorities have persistently denied that they gave substantial material help to the tribal invasion ..."but the evidence of published memoirs and in the archives points in the other direction. 'Interestingly, the Chief Minister of NWFP in 1947, Khan Abdul Qayyum (Qayum /Qaiyum) Khan, who was involved in organising and supporting the tribal invasion of Kashmir Province in October 1947, was the ' elder brother of a later President and Prime Minister of Azad Kashmir, Khan Abdul , Hamid Khan. According to Ian Talbot, Pakistan: A Modern History, London, Hurst & Company, Third Edition, 2009, p. 462, Khan Abdul Qayyum Khan was 'born in Chitral of Kashmiri origin'. Saraf, Kashmiris Fight—For Freedom, Volume II, pp. 791, 1344, confirms the brothers' relationship and states that Qayyum Khan was from Village Wanigam, in Baramula district', where he had land and a house. He also had 'a house in Baramula town', where, as we shall, see, Pukhtoon tribesmen committed excesses in 1947.

2. Prem Nath Bazaz, Truth About Kashmir, Delhi, The Kashmir Democratic Union, 1950, p. 5.

3. Abdullah, Flames of the Chinar,; pp. 90, 97-99.

4. 'Telegram dated 31st October 1947, from Foreign, New Delhi, to Punsg, Lahore, Foreign, Karachi' in White Paper on Jammu & Kashmir, p. 50.

5. Nehru to Patel, 30 December 1947, in Gopal, Selected Works of Jawaharlal Nehru, p. 414.

6. Patel to Maharaja of Jammu and Kashmir, 2 October 1947, in P.N. Chopra, Chief Editor, The Collected Works of Sardar Vallabh bhai Patel, Delhi, Volume XII, Konark Publishers, 1998, p. 211.

7. White Paper on Jammu & Kashmir, pp. 7-8.

8. Copal, Selected Works of Jawaharlal Nehru, p. 265.

9. Patel to Mahatma Gandhi, 30 August 1947, in Chopra, The Collected Works of Sardar Vallabh bhai Patel, p. 193.

10. Patel to Mahatma Gandhi, 21 April 1947, in Chopra, The Collected Works of Sardar Vallabh bhai Patel, p. 64.

11. .Letter to M.C. Mahajan, 21 October 1947, in Gopal, Selected Works of Jawaharlal Nehru, p. 272.

12. This paragraph based on Enclosure, Nehru to Patel, 5 October 1947, in Das, Sardar Palel's Correspondence, p. 54.

13. CMG, 23 October 1947.

14. Ibid.

15. Nehru to Abdullah, 10 October 1947, Gopal, Selected Works of Jawaharlal Nehru, p. 270.

16. They had not yet had their titles changed to chief minister.

17. G. Paithasaratbi, General. Editor, Jawaharlal Nehru: Letters to Chief Ministers 1947-1964, New Delhi, Jawaharlal Nehru Memorial Fund, 1985, p. 7.

18. Gopal, Selected Works of Jawaharlal Nehru, p. 341.

19. jawaharlal Nehru, India's Foreign Policy, Selected Speeches, September 1946—April 1961, New Delhi, Publications Division, Ministry of Information and Broadcasting, Government of India, 1961, p. 444.

20. Gopal, Selected Works of Jawaharlal Nehru, pp. 350-51.

21. Ibid., p. 416.

22. Ibid., p. 364.

23. Ibid., p. 400.

24. Except where otherwise stated, all references in this paragraph from Das, Sardar Patel's Correspondence, pp. 45-47. This letter is also in

Gopal, Selected Works of Jawaharlal Nehru, pp. 263-65.

25. Nehru, India's Foreign Policy, p. 443.

26. Sardar Patel to Sardar Baldev Singh, 7 October 1947, in Das, Sardar Patel's Correspondence, p. 59.

27. Nehru, India's Foreign Policy, pp. 443-46.

28. CMC, 4 November 1947, reported the text of Nehru's broadcast. Quotations in this paragraph are from that report. It is also in White Paper on Jammu & Kashmir, pp. 52-55, although it gives the date of the speech as 2 November.

29. TOI, 28 October 1947.

30. White Paper on Jammu & Kashmir, p. 3. ,

31. CMC, 2 November 1947.

32. 'Hindustan Times, 11th November 1947. By a correspondent of the United Press of America', in White Paper on Jammu & Kashmir, p. 40.

33. Messervy, 'Kashmir', p. 475; Annex 7, 'Minutes of the Meeting with the Defence Minister of the "Azad Kashmir Government"', in UNCIP, Report ofthe Sub-committee on Western Kashmir, p. 71.

34. Defending Kashmir, p. 8.

35. Defending Kashmir, Appendix I, p. 161.

36. 'Appendix IV: Attacks on Sialkot-Jammu border', The Sikhs in Action, Lahore, Government of Punjab?, 1948, pp. xxi-xxix. This (possibly partisan) document records thirty-three incidents that took place in East Punjab and thirty incidents in West Punjab from 16 September 1947 to 21 November 1947.

37. Karaka, Betrayal, pp. 173-74.

38. Information in this paragraph from White Paper on Jammu & Kashmir, various pages.

39. White Paper on Jammu & Kashmir, Foreword.

40. Ibid., p. 6.

41. Ibid., p. 3.

42. This is one reason why Pukhtoons invaded J&K via the all-weather Jheluin Valley Road, even though the aggression against Muslims was in (difficult-to-reach) Jammu Province.

43. White Paper on Jammu & Kashmir, pp. 22—23.

44. Singh, History of Jammu and Kashmir Rifles, p. 145.

45. White Paper on Jammu & Kashmir, p. 33.

46. Whitehead, A Mission in Kashmir, discusses events in Baramulla in detail.

47. 'Extracts from the translation of a diary captured at Uri by 161 Bde and forwarded to H.Q Delhi, and Eastern Command Secretariat, February, 1948', White Paper on Jammu & Kashmir, p. 31.

48. Sardar M. Ibrahim Khan, The Kashmir Saga, Second Edition, 1990, p. 55.

49. NYT, 11 November 1947. White Paper on Jammu & Kashmir, p. 24, had a similar (the same?) report by Robert Trumbull, NYT, sent from Baramulla on 10 November 1947

50. The Times, 4 November 1947.

51. NYT, 11 November 1947. Robert Trumbull, As I See India, London, Cassell, 1957,p 91, who wrote the NYT story, states somewhat sensationally, that the only removable object left in Baramulla was 'an old cover picture from Life'.

52. Lamb, Kashmir, A Disputed Legacy, p. 143, footnote 26.

53. NYT, 17 November 1947.

54. 'Eyewitness Account of Fighting in Vicinity of Baramula [sic], Kashmir', Despatch Number 355 to US Secretary of State by Howard Donovan,

Counsellor of the US Embassy, New Delhi, 22 November 1947, in Confidential U.S., Reel Number 10.

55. Lamb, Kashmir, A Disputed Legacy, p. 143, footnote 26.

56. Stephens, Pakistan, p. 200.

57. The Times, 17 November 1947.

58. White Paper on Jammu & Kashmir, pp. 65-66.

59. White Paper on Jammu & Kashmir, p. 70.

60. Parthasarathi, Jawaharlal Nehru: Letters, p. 14.

61. The Times, 13 January 1948.

62. Ibid.

63. The Times, 1 January 1948.

64. Kingsley Martin, 'As Pakistan Sees It', New Statesman and Nation, London, Issue 35, 6 March 1948, p. 188.

65. Hafizullah, Towards Azad Kashmir, p. 103.

66. Zaidi, Jinnah Papers, Volume V, passim (particularly after p. 540).

67. 'G. Mohamed to Liaquat Ah Khan', in Zaidi, Jinnah Papers, Volume V, pp. 561-71.

68. Zaidi, Jinnah Papers, Volume V, pp. 571-72.

69. Zaidi, Jinnah Papers, Volume V, p. 594.

70. Zaidi, Jinnah Papers, Volume V, p. 621. Also reported in CMG, 2 October 1947.

71. 'Quaid-i-Azam Refutes Kashmir Government's "XParte" Allegations', in M. Rafique Afzal, editor, Speeches and Statements of the Quaid-i-Azam Muhammad Ali Jinnah (1911-35 and 1947-48),Lahore, Research Society of Pakistan, University of Punjab, 1966, p. 446. This refutation is very similar to a telegram from Jinnah to the Maharaja ofJ&K on 20 October 1947 in White Paper on Jammu &Kashmir, pp. 10-11.

72. 'Telegram to the Prime Minister of Kashmir and Jammu [sic] State', in M. Rafique Afzal, editor, Speeches and Statements of Quaid-i-Millat Liaquat Ali Khan (1941-51), Lahore, Research Society of Pakistan, University of Punjab, 1967, p. 130.

73. Enclosure, Mountbatten to Patel, 2 November 1947, in Das, Sardar Patels Correspondence, p. 75.

74. White Paper on Jammu & Kashmir, pp. 57-58.

75. 'Telegram, dated the 4th (received 5th) December 1947, from Punsg, Lahore, to Foreign, New Delhi', in White Paper on Jammu & Kashmir, p. 72.

76. White Paper on Jammu & Kashmir, pp. 62-65.

77. Conversely, according to The Times, 10 November 1947, if the tribesmen had been assisted by 'another country', that is, by Pakistan, 'they would have captured Srinagar within three days of the crossing the border'.

78. For example, in relation to die timing of the accession, The Kashmir Dispute and Its Solution. Statement in Parliament by M.A. Gurmani, Karachi, Government of Pakistan, 1951, p. 15, makes the point that' when the tribesmen went into Kashmir in response to the appeal of the oppressed people of the State, [J&K] had not acceded to India, and India, therefore, had no locus standi. The Maharaja's accession changed that situation and thereafter Pakistan had to justify having a locus standi in J&K. For this argument, see Ijaz Hussain, Kashmir Dispute. An International Law Perspective, Islamabad, Quaid-i-Azam University, 1998, pp. 54-58.

79. White Paper on Jammu & Kashmir, pp. 62-65.

80. Ibid., pp. 56-60.

81. Kashmir Questions. Extracts from Sir Zafrullah Khan's Speech Before the Security Council,

February 1950, New York, Pakistan Permanent Delegation to the United Nations,1950, p. 5.

82. Kashmir Questions, pp. 14-15.

83. Gurmani, Kashmir: A Survey, pp. 17-19. In 1965, an official publication, Story of Kashmir, Karachi, The Department of Films and Publications, Government of Pakistan, 1968, Revised Edition, pp. 7-8, followed the same line.

84. See, for example, While Paper on Jammu & Kashmir,?. 81.Conversely,L.F.Rushbrook Williams, The State of Pakistan, London, Faber and Faber, Second (Revised) Edition, 1966, p. 85, states that he was told drat 'some Pakistani regulars troops were stationed, early in 1948, just inside Azad Kashmir territory to give the local forces confidence; they were ordered to take no part in the actual fighting against Indian units'.

85. 'Report submitted by the United Nations Representative', p. 257.

86. Part D, 'Proceedings on the sub-continent', First Interim Report of the United Nations Commission on India and Pakistan, in M.S. Deora and R. Grover, Editors, Documents on Kashmir Problem, Volume X, New Delhi, Discovery Publishing House,1991, p. 28.

87. 'Resolution of the [United Nations] Commission [for India and Pakistan] of August. 13, 1948', in Josef Korbel, Danger in Kashmir, Princeton University Press, Revised Edition, 1966 [First Edition, 1954], p. 364.

88. Defending Kashmir, p. 7.

89. Kashmir's Fight for Freedom, Washington, Department of Public Relations, Azad Kashmir Government, p. 3.

90. 'Part III - Complicity of Pakistan in the Invasion of Kashmir', White Paper on Jammu & Kashmir, pp. 33-34.

91. 'Resolution Adopted by the UNCIP, 13 August 1948 (S/1100, Para 75)', in Sarwar K. Hasan and Zubeida Hasan, Editors, Documents on the Foreign Relations of Pakistan, p. 180.

Article-3

Politics in Jammu and Kashmir on the eve of the transfer of power

For the accession to either India or Pakistan by the Rulers of the Princely states which the British made prior to 15 August 1947 there was no specific requirement that the States' population should be consulted. As the vast majority of the Princely States were autocracies where the Rulers exercised powers which varied from mildly limited by constitutional checks to absolute in a manner which would have seemed excessive even in Europe before the French Revolution, the question of accession was in practice decided by the Rulers and their closer advisers without anything remotely resembling a plebiscite. In this respect Jammu and Kashmir was no exception. Maharaja Sir Hari Singh's decision in October 1947 to join India was not referred to his subjects at the time; and subsequently it has never been ratified as such by a free and fair popular vote, though elaborate arguments have been advanced by the Indian side in the Indo-Pakistani Kashmir dispute in an attempt to demonstrate that other political processes substitute for

a vote of this kind. The assessment of the validity of such claims requires some examination of the nature and origins of political activity in the State of Jammu and Kashmir as it had developed by October 1947: of particular importance in this context is the growth up to that moment of organised opposition to the Maharaja's autocracy and the demand for representative institutions by the state's population.

Despite the reforms imposed upon the State of Jammu and Kashmir by the British during those years after 1889 when they were in effective control of its affairs, Maharaja Hari Singh in 1925 inherited regime in which the Muslim majority of the population endured considerable hardships in their daily lives. The system of *begar*, for example, the conscription of the local people for various public works including service as porters, was deemed particularly objectionable by the Government of India even though many a British traveller, unofficial and official, had found it extremely convenient and had not hesitated to exploit it to the full.[1] In theory *begar* had been abolished in 1893, but in practice it persisted, particularly in remoter districts, right up to 1947. In those parts of the State where the Maharaja owned the bulk of the land, in Jammu and the Vale of Kashmir, the revenue demanded of the cultivators was such that they were only able to retain sufficient for the barest margin of subsistence in a good year; and famine was by no means

uncommon. The land settlement which Sir Walter Lawrence had devised during the initial years of British control in theory left the cultivator with 70% of the yield of the land. In practice, however, rapacious state officials and landlords, or Jagirdars (those to whom the Maharaja had granted the revenue rights over tracts of land in the feudal manner),steadily eroded the peasants' entitlement. The result was a marked increase in rural indebtedness and a proliferation of money lenders, those scourges of rural India. Trade and industry, too, were subjected to extortionate demands from the Maharaja. An ad valorem duty of 85% was levied on the textile industry. All traders, even prostitutes, were taxed at comparable rates.

In every aspect of the state's life there was discrimination against the Muslim majority and the application of legislation expressly designed to favour Hindus, Until 1934, for example, the slaughter of cows was a capital offence; and it continued to be forbidden under lesser penalty after the date. The administration of the State was dominated at all levels by the Pandits, Kashmiri Brahmins, who were notoriously corrupt and avaricious. Muslims were in practice severely disadvantaged by the education system which began to develop in the State in the first years of the 20th century. Hindus, alone, were allowed licenses to possess firearms in the Vale of Kashmir; and Muslims from the Vale were

carefully excluded from service in the State's Armed forces where the higher ranks were reserved for Dogra Rajputs. Muslim troops in the Jammu and Kashmir State forces (usually with Dogra officers) were mainly recruited from the Sudhans of Poonch, a military Clan which the Maharaja believed could be relied upon to suppress any disorder in the vale. The state did not hesitate to interfere with many aspects of Muslim religious life including the administration of Islamic shrines.

On the surface, at the time of Maharaja Hari Singh's accession Hindu-Muslim relations, particularly in the Vale of Kashmir, seemed amicable enough. The Kashmiri Muslims were generally described by outside observers as docile and subservient. They were certainly impressed by the power of the Maharaja's Government which, particularly in the early days of Gulab Singh's rule of the Vale, had ruthlessly suppressed all vestiges of opposition. Beneath the calm exterior of Kashmiri life, however, there undoubtedly persisted a bitter resentment which by the late 1920s was beginning to take political shape. Even the Kashmiri Pandit community, which had benefited greatly from Dogra administration, was not immune from a growing disenchantment with the injustices of the Maharaja's administration when it was compared with condition to be found in territory under direct British control.

The Pandit community, containing the best educated people in the State and with extensive contacts outside it in British India, Particularly in Lahore in the Punjab and Lucknow in the United Provinces, was affected to some degree by the various intellectual and political reform movements which arose during the course of the latter part of the 19th century and the first decades of the 20th. The influence of the Arya Samaj, a movement which combined Hindu religious reform with agitation for political progress, was first felt in Jammu in the last years of the 19th century; and in 1903 it inspired the Dogra Sabha, Mainly confined to Hindus and essentially conservative, but for all that a pioneering experiment in political activity in the state. By 1915 the ideas associated with the Arya Samaj had also taken root among the Pandits of Srinagar; and from them sprang a number of associations with objectives to a greater or lesser extent political, notably the Yuvak Sabha, which under a Hindu religious guise became a secular voice of the Kashmiri Pandit community directed towards preserving its privileged status in Jammu andKashmir State. The Yuvak Sabha, like the Dogra Sabha in Jammu, was essentially conservative in its politics though active in such social questions as the improvement of the conditions of women(in particular the re-marriage of widows); and it posed no challenge to the authority of the Maharaja. It did, however, provoke a number of Pandits into adopting more radical views; and it provided an

example to the Muslim community of the effectiveness of techniques of communal organisation.

In 1905 the then religious leader of the Muslims of the Vale, the Mirwaiz of Kashmir Maulvi Rasool Shah (Whose base was the Jama Masjid in Srinagar) founded in Srinagar an association (or Anjuman) the Anjuman-i-Nusrat-ul-Islam, with the object of improving the lot of the Kashmiri Muslims, especially in education, while at the same time ensuring the spread of pure Islamic doctrine.[2] It established or arranged for the management of schools (including the Islamia High School, Srinagar) held regular meetings, and conducted its business through a system of councils and committees. In the 1920s it embarked upon an examination of the social reforms necessary to improve the condition of the Muslim community. In 1922 it sent deputations to the state Government to seek redress of Muslim grievances. It was not particularly effective and it certainly caused the State authorities no great anxiety. It did, however establish a very important precedent which others could exploit.

The Anjuman-i-Nusrat-ul-Islam in the 1920s was dominated by the Kashmiri religious leader of the day, the Mirwaiz-i-Kashmir Maulvi Ahmad Ullah Shah.It was both conservative in political attitudes and concerned primarily with religious matters. In 1923 it became involved in an acrimonious dispute with the Ahmadiya community in

Srinagar. The Ahmadiya movement was founded in about 1879 by Mirza Ghulam Ahmad, who lived at Qadian in the Panjab and who died in 1908. Its doctrines were in Islamic terms extremely unorthodox; and in that the Ahmadiyas have been deemed to have cast doubt on the uniqueness of the Prophethood of Muhammad, Many Muslims, not least in Pakistan, consider the followers of the sect to be either heretical or, indeed, not Muslims at all. The Ahmadiyas were extremely energetic both in spreading their ideas and in commercial activities. They were enterprising in seeking out new areas for their missionary activities which often encountered fierce opposition from the established Muslim leadership. Mirwaiz Ahmad Ullah Shah certainly did not find the Ahmadiyas to his taste. His attitude it has been argued, was to have the gravest consequences for the future of the Muslim political life of the State of Jammu and Kashmir.[3]

An important feature of Ahmadiya teaching was the stress that if placed upon Muslim unity, a theme which was emphasised in 1924 by the head of the Ahmadiyas, Mirza Kamal-ud-Din during a visit to Kashmir. While Mirwaiz Ahmad Ullah Shah dismissed Mirza Kamal-ud-din as an unbeliever, the second most important Muslim divine in Srinagar, The Mirwaiz Hamadani of the Khanqah-i-Mualla (the shrin sacred to the memory of Mir Syed Ali Hamadani, the Saint who had done so much to establish Islam in the Vale of Kashmir in the 14th century)

gave the Ahmadiya leader permission to hold a public meeting in the building of which he had charge. Mirwaiz Hamadani was no supporter of the Ahmadiyas; but his courtesy to them on this occasion aroused the anger of his fellow Mirwaiz who never forgave him. Thus began a threefold division in the Kashmiri Muslim ranks, between the Mirwaiz-i-Kashmir, the Mirwaiz Hamdani and the Ahmadiyas, which was to have fateful consequences in years to come. Some have argued that here lies the genesis of the Kashmir Problem.[4]

The example set by the Anjuman-i-Nusrat-ul-Islam was followed by other Muslim groups in Kashmir in the second and third decades of the 20th century, with the creation of associations such as the Anjuman-i-Hamdard Islam (founded by Punjabi Muslims in the State),and the Anjuman-i- Tahaffuz-i-Namaz-wa-Satri-Masturat, with a variety of objectives. In Jammu, too, there was a measure of muslim organisation with the Anjuman-i-Islamia. None of these bodies rivalled the Anjuman-i-Nusrat-ul-Islam in importance.

The various Anjuman established in the Vale, and to a lesser extent among the muslims in Jammu, during this period were more local in influence and inspiration than reflections of the major political waves then sweeping through British India. It is interesting in this context that the Khilafat movement, which from late 1919 onwards began to play such s seminal role in Muslim

nationalist agitation in India, aided and abetted not only by Mahatma Gandhi but also two prominent figures of Kashmiri Pandit origin, Sir Tej Bahadur Sapru and Motilal Nehru (The father of Jawaharlal), had relatively little impact upon the political life of Kashmir.[5] There were mass meetings in Srinagar during the second half of 1920 in the organisation of which Maulvi Muhammad Yusuf Shah (Who, as the Mirwaiz-i- Kashmir some eleven years later was to become one of the founders of modern Islamic politics in Kashmir) played an important part, the reaction of the Jammu and Kashmir Government(Durbar), however, was swift; and the movement was effectively banned. The Government was supported by the Mirwaiz-i-Kashmir of the day who advised it to arrest the leaders if the agitation on the grounds that they were non-religious trouble makers. The main significance, which should not however, be underestimated, of the Khilafat movement in Jammu and Kashmir was, perhaps, the introduction of many of the leading members of the Muslim community to the name of Mahatma Gandhi. The movement, so the record would indicate, made no significant impact upon the local Pandit community despite the role played in it in British India by Tej Bahadur Sapru and Motilal Nehru.

In 1924 the Vale experienced a crisis which was to mark another important stage in the evolution of political opposition to the Maharaja's rule. Labour unrest hit the State Silk Factory in Srinagar. This had been established

by the Maharaja's Government in 1907; and by 1924 it employed some 5,000 workers, the overwhelming majority of them Muslims, whose average wage (When the Kashmiri Pandit management did not pocket a portion of it for itself) was a mere four and a half annas per day.[6] The Jammu and Kashmir Government reacted with considerable violence; and, though the silk workers gained a minute increase in pay, the strike movement was effectively suppressed.

The State Silk Factory strike brought the condition of the ordinary people in Jammu and Kashmir State to the attention of the British Government of India in a manner which it was difficult to ignore. When, in October 1924, the Viceroy, Lord Reading, visited Srinagar, he was presented with a Memorandum signed by many prominent members of the Kashmiri Muslim Community (including the Mirwaiz-i-Kashmir) which outlined their grievances not only in the context of the State Silk Factory but in all aspects of their life. It called for an increase in the number of Muslims employed in State service, improvements in Muslim education, land reform, protection of the Muslim religious establishments from Hindu encroachments, the abolition of all forms of forced labour, equitable distribution of Government contracts to all communities, and a state Constitution providing for a legislative Assembly in which the Muslims were properly represented. The Memorandum, in fact, provided an

outline programme of reform which any effective organised opposition to the Maharaja's autocracy could hardly fail to follow. It also indicated to the Political Department of the Government of India which was responsible for the conduct of the British Crown's relations with the Indian Princely States, that there existed serious social and political problems in Jammu and Kashmir, a Princely State the strategic importance of which was only too well appreciated, which it would be unwise to ignore for much longer.

This point was emphasised in 1929 by Sir Albion Bannerji, an Indian Christian who had served the Government of India with distinction and who since 1927, had been Senior Member of the Council of state of Jammu and Kashmir, a post which was soon to be given the title Prime Minister. In March 1929 Bannerji resigned on the grounds, which he made public through the Indian vernacular press, that he could no longer be associated with the Maharaja's misgovernment. He declared that:

> Jammu and Kashmir State is labouring under many disadvantages, with a large Muhammadan population absolutely illiterate, labouring under poverty and very low economic conditions of living in the villages and practically governed like dumb driven cattle. There is no touch between the Government and the people, no suitable

> opportunity for representing grievances and the administrative machinery itself requires over hauling from top to bottom to bring it up to the modern conditions of efficiency. It has at present no sympathy with the people's wants and grievances.[7]

Bannerji was replaced as Senior Member of the Council by a British official, G.E.C. Wakefield, who had hitherto been in charge of the State's Police and Public works. Wakefield was presiding over the Maharaja's administration when, in 1931, a crisis developed in Srinagar from which the modern political history of Jammu and Kashmir can be directly traced. Some Indian commentators, with sharp eyes for any signs of a conspiracy, have suspected that Wakefield was more than a spectator in the precipitation of that crisis, and that he was acting in collusion with the British Government of India.[8]

During the 1920, in part a consequence of the development of Muslim associations interested in educational reform, a number of young Kashmiri Muslims were able to leave the state to study institutions of higher learning in British India such as the University of the Punjab and the Aligarh Muslim University.[9] By the beginning of the 1930s the first Kashmir graduates from Aligarh had returned to their native State, and to Srinagar in particular, where they rapidly assumed of dominant

place in local political activity in collaboration, and also in competition, with the old Muslim leadership which was headed by the two Mirwaiz. Among the young graduates who came back to the Vale about this time were Sheikh Muhammad Abdullah, Mirza Afzal Beg, and G.M. Sadiq, Men who in their various ways would dominate the internal politics of the State of Jammu and Kashmir for many decades. The result was a new focus of opposition to the autocracy of the Maharaja of Jammu and Kashmir. It was still, inevitably, inextricably bound up with Islamic sensitivities, though it was supported by some members of the Kashmiri Brahimin (Pandit) community, like Prem Nath Bazaz, [10] who sought to guide political activity in a secular direction, with the initially guarded approval of some of the Muslim young men who had been exposed while away in British India to the thoughts of Marx and Engels. It had very little to do with the hostility to the Maharaja's administration that was to develop in Poonch; and it received relatively restricted popular support in Jammu, where the bulk of the State's Hindu and Sikh population was concentrated. It made no perceptible impact in Ladakh, Baltistan and the Gilgit Wazarat and its dependencies.

In 1931 one event more than any other seems to have turned a general dislike of the Maharaja's rule in the Vale of Kashmir into an organised opposition movement. There are various versions of the story and there may will

have been more than a single incident involved. It was reported, among other happenings, that a mosque in Riasi in Jammu Province had been demolished by Hindus with the approval of the Maharaja's Government; that at another place in Jammu Muslims had been prevented from saying their prayers; that the Imam of a mosque in Jammu had been stopped by the authorities from giving his sermon (khutba) before Friday Prayers; even that pages of the Holy Koran had been found discarded in public latrine. The essential point common to all these stories is that in early June 1931 it was reported that in Jammu Province the Maharaj's Government, or officials in its employ, had caused Muslim worship to be disrupted and the Holy Koran to be insulted. When, news of all this reached Srinagar it caused great outrage. There were fiery denunciations from mosque pulpits, processions and public meetings. On 25 June 1931 at one such meeting a certain Abdul Qadeer, a non-Kashmiri (he apparently came from the North-West Frontier region), made a particularly vehement speech advocating violence against the Maharaja's rule. He was promptly arrested. This provided a fresh focus for public demonstration and protest.

Abdul Qadeer was put on trial at the Sessions Court, Srinagar, on 6 July 1931; but so great was the assembly of Muslims which gathered outside the buildings that the proceedings had to be moved to the

securer environment of the Srinagar Central Gaol. It was outside the Gaol, on 13 July 1931, when the trial of Abdul Qadeer was reopened, that a crowd gathered only to be met with police baton charges. The police were resisted, stone were thrown and even, so some reports. Indicate, shots were fired at them. The police then opened fire. Some twenty-two demonstrators were killed as well as at least one member of the police (who was shot). 13 july 1931 became known in kashmiri history as " Martyrs Day", the official beginning of a struggle for independence from alien rule (at the time the Hindu Maharaja and subsequently the Republic of India which has not yet ended. [11] it immediately produced Muslim protests and clashes between Muslim demonstrators and the state police throughout the Vale of Kashmir and in nearly every District in Jammu.

Maharaja Sir Hari Singh was persuaded by some of his advisers that the immediate cause of the trouble was the encouragement given to Muslim agitators by his senior Minister, Wakefield, apparently acting as an agent of the Government of India. The Maharaja was convinced that the British were determined to Punish him for his stand during the Round Table Conference in London in 1930 where he had spoken out in a manner which was definitely not to the liking of the political Department of the Government of India. There are still Indian writers who see the whole Abdul Qadeer affair as a British plot to

destabilise the Government of Jammu and Kashmir as part of the Political Department's plan to secure the lease over the Gilgit Agency: they have even claimed that Abdul Qadeer was a professional agitator smuggled into Kashmir in the guise of a cook in the entourage of a British officer, one Major Bott.[12] Wakefield was dismissed and replaced, with the new title of Prime Minister, by Sir Hari Kishen Kaul, a distinguished Kashmiri Pandit.

The Maharaja was certainly right in believing that the events of 13 July 1931 would not augment the good reputation of his state. A scarce week after the killings outside the Srinagar Central Gaol a Kashmir Committee was formed in British India by leading Muslims including that distinguished Kashmiri Sir Muhammad Iqbal who was strongly supported by the head of the Ahmadiya community at Qadian, Mirza Bashir Ahmad. Its aim was to alert the Government of India to the situation in the state of Jammu and Kashmir and to secure the appointment of an impartial commission of Enquiry into the background to the crisis. It also resolved that henceforth, in memory of the martyrs of 13 July 1931, there should be observed special Kashmir day, for which the fateful date 14 August was selected. On the appointed day there were meetings all over India, in Delhi, Bombay, Calcutta, Simla and elsewhere. Despite the prohibitions of the Maharaja, the Day produced demonstrations in his State including a rally

of an estimated fifty thousand people outside the Jama Masjid in Srinagar.

The crisis of June and July 1931 in Srinagar was dominated by two Kashmiris. One was the religious leader Mirwaiz Muhammad Yusuf Shah; and the other was a young schoolmaster with a M.Sc Degree in Chemistry from Aligarh Muslim University. Sheikh Muhammad Abdullah, One of those graduates who, as we have seen recently returned from their studies in British India.

Muhammad Yusuf had just succeeded his uncle in March 1931 as the Mirwaiz-i-Kashmir, the acknowledged head of the Kashmiri Islamic community. Unlike his uncle, however, the new Mirwaiz was prepared to speak out openly against the police of the Maharaja's Government. He was the chief inspiration behind the protests against the blasphemous insult to the Holy Koran which had resulted in the Abdul Qadeer crisis; but in this he was greatly assisted by his protégé Sheikh Muhammad Abdullah.

Sheikh Abdullah was born in 1905 at Soura not for from Srinagar into a family of Kashmiri Brahmin origin which had converted to Islam in the 18th century.[13] His father, who died two weeks before his birth, had been a dealer in pashma (or pashmina, the undercoat of sheep from western Tibet which was the basis of the Kashmir shawl trade). While poor, his family were evidently well

connected; and Sheikh Abdullah was able to obtain an excellent education culminating in his MSc at Aligarh (unlike the degree in law or the arts usually acquired by aspiring politicians in the British Indian Empire). On the eve of the crisis he was employed in a rather humble, and to his own mind far from satisfactory, position of schoolmaster at the State High School (on a salary of Rs. 60 per month), having failed to secure a gazetted post in the State Government service. He had set up what came to be known as the FatehKadal Reading Room, a meeting place where young men of like mind could gather to discuss the problems of the day without running foul of the Maharaja's ordinances against public assemblies. He appears at this time to have been (or to have given the public impression of being) an extremely devout, and highly orthodox (Hanifite), Muslim and, as such, to have won the affection and approbation of Mirwaiz Muhammad Yusuf Shah. Even as a young man he impressed all who met him, not always favourably, in part because of his obvious intelligence and in part, no doubt, because of his sheer size-he was over six feet tall and towered above most of his fellow Kashmiris Between them, Mirwaiz Muhammad Yusuf Shah, with his religious prestige, and Sheikh Abdullah with his charismatic personality and organising ability, made a formidable team.

The opposition which they inspired, reinforced by the protests of distinguished Muslims in British India, resulted in the Maharaja's appointment, under considerable pressure from the Government of India, of a Commission of Enquiry to be presided over by a senior British official from the Indian Political Department, B. (later Sir Bertram) Glancy; and in early 1932 the Maharaja found it expedient to appoint a new Prime Minister, Colonel E. J.D Colvin who was seconded from the Indian Political Department (and who remained in office until 1936) The Glancy Commission, in which the Chairman was assisted by four Kashmiris, two Muslims including Chaudhri Ghulam Abbas,[14] and two Hindus including the Kashmiri Pandit intellectual Prem Nath Bazaz, obliged the Maharaja to grant the State a constitution supported by a significant degree of freedom of speech and association. Meanwhile both Mirwaiz Muhammad Yusuf Shah and Sheikh Abdullah had served terms in the Maharaja's prisons, which did nothing to diminish their popular standing.

By the time that the Constitution came into being, in 1934, politics in Srinagar had developed rapidly. A party had been established by a group of Kashmiri patriots including Sheikh Abdullah and Mirwaiz Muhammad Yusuf Shah, the all Jammu and Kashmir Muslim Conference activists included Chaudhri Ghulam Abbas (from Jammu) as well as those newly fledged graduates Mirza Afzal Beg,

and G. M. Sadiq, who were joined by Bakshi Ghulam Muhammad. The 1934 constitution provided for a Legislative Assembly (with severely limited powers and no control over the appointment of Ministers which remained with the Maharaja) in which there were thirty-three elected seats out of a total of seventy-five, of which twenty-one were reserved for Muslims (with ten for Hindus and two for Sikhs).The use of communal constituencies, a highly restricted electorate (as little 3% of the total adult population it has been estimated by some observers), a by no means impartial system of scrutiny of nominations and the presence of nominated and appointed members (who were in a majority in the 1934 constitution) combined to produce a far from perfectly democratic arrangement.[15] It did, however, create a forum for political activity which the new Muslim Conference exploited to the full, dominating the Muslim constituencies

From the moment of its birth the Muslim Conference faced the problems of internal discord. Almost immediately after the Abdul Qadeer crisis Sheikh Abdullah and Mirwaiz Muhammad Yusuf Shah had begun to quarrel with each other. The origins of their differences are obscure. There is some evidence that Sheikh Abdullah, abetted by the other Mirwaiz in Srinagar, Mirwaiz Ahmad Ullah Hamadani of Khanqah-i-Mualla, had showed himself to be too sympathetic towards the

Ahmadiya (Qadiani) community which Mirwaiz Muhammad Yusuf Shah considered as had his uncle before him, to be heretical, thus reviving the controversy which had so disturbed Srinagar religious society in the mid 1920s. Mirwaiz Muhammad Yusuf Shah, it has been reported, even came to believe that Abdul Qadeer, the hero of 13 july 1931, was an Ahmadiya and in consequence modified considerably his attitude towards the whole protest movement which had arisen. Be that as it may, there can be no doubt that by the middle of 1932 there was developing an active and at times violent, political rivalry in the Muslim ranks in Srinagar between bands of supporters of Sheikh Abdullah, the *Shers* or "Lions" [16] (after Sheikh Abdullah who was increasingly being referred to by his admirers as the "Lion of Kashmir"), on the one hand and followers of Mirwaiz Muhammad Yusuf Shah, the *Bakras* or "Goats"(after the beards worn by Islamic clerics), on the other.

A major consequence of this quarrel was the growing secularisation of Sheikh Abdullah's outlook. Clear evidence of this process was detected by Srinagar political society in 1933 when, immediately after his release from a term of imprisonment at the Maharaja's pleasure, Sheikh Abdullah married the daughter (her mother was Kashmiri) of Harry Nedou, the European proprietor of a chain of hotels including Nedou's Hotel in Srinagar.[17] Begum Akbar Jehan Abdullah was a

Muslim; but it is unlikely that she, and her background (which included a previous marriage when she had lived in cosmopolitan Bombay), would have fitted in easily with the orthodoxy represented by Mirwaiz Muhammad Yusuf Shah. The financial advantages of the marriage were evident at the time; and it marked an early (but, perhaps, crucial) step in Sheikh Abdullah's progress towards becoming the richest man in the State. There were also, of course, financial advantages in a sympathetic attitude towards the Ahmadiyas (whose commercial acumen was proverbial) which may have influenced the young Sheikh Abdullah in the evolution of his attitude towards the Mirwaiz Muhammad Yusuf Shah.

In the development of his secular approach to politics Sheikh Abdullah was supported by a number of Kashmiri Pandit opponents of the Maharaja's autocracy, like Prem Nath Bazaz; and when in 1938 Sheikh Abdullah met for the first time that descendent of Kashmiri Pandits who was rapidly becoming such a dominant figure in the Indian National Congress, Jawaharlal Nehru, the process of secularisation was greatly accelerated. Sheikh Abdullah became deeply involved in Congress politics, particularly in the movement to extend its scope from British India to the Princely States; and at the same time he increasingly saw his own movement, the Muslim Conference, as an extension of

the Indian National Congress in Jammu and Kashmir. In 1939 the Muslim Conference was formally dissolved: it was replaced by the Jammu and Kashmir National Conference. This was a body far more concerned with social and political issues, such as land reform, than with matters of Islamic theology.

The process of secularisation was not welcomed by the more conservative Muslim elements in Kashmiri politics. In 1941 some of Sheikh Abdullah's earlier associates like Chaudhri Ghulam Abbas joined with Mirwaiz Muhammad Yusuf Shah in reviving the old Muslim Conference which now became to all intents and purposes allied to M.A. Jinnah and the Muslim League in British India.

In 1939 the Maharaja introduced a new Constitution, in large measure in response to *a* campaign of protest and representations organised by the Muslim (about to become National) Conference and its supporters outside the State. The number of elected seats in the Legislative Assembly was increased to forty to give the elected members a theoretical majority. However, the communal constituencies remained; and the restricted franchise of the 1934 Constitution was retained.[18] Careful scrutiny of nominations ensured that the Maharaja exercised considerable control over the nature of the elected component of the Assembly. The Muslim seats of

the Assembly under the new Constitution were at first dominated by the National Conference; but in 1941, with the revival of the Muslim Conference, the National Conference was left with but ten members in the Assembly. At this point the remaining members of the National Conference were instructed to resign from the Assembly; but only the resignation of the leader of the party in the Assembly, Mian Ahmad Yar, was accepted. The Maharaja declared that the War prevented the holding of fresh elections in the foreseeable future: members already elected should stay where they were.

In 1944 the Maharaja, seeking to broaden the base of his popular support, decided to appoint two members of the Assembly as Ministers in his Government, one Hindu and one Muslim (an experiment, it was said, in "dyarchy"). The Muslim Minister, assigned the portfolio of Public Works and Municipalities, was Mirza Afzal Beg, the deputy leader of the National Conference (and the Hindu Minister was Wazir Ganga Ram, who had received the highest vote in the Hindu constituencies). Mirza Afzal Beg had already become one of Sheikh Abdullah's closest associates (which he was remain until the two men fell out in 1978); and his collaboration with the Maharaja no doubt reflected the policy of his leader. It was, however, to be a short lived experiment. In March 1946 Mirza

Afzal Beg resigned. Soon the Maharaja and the National Conference came into direct conflict during the so called "Quit Kashmir" movement when Sheikh Abdullah declared (at the moment when the British of the Vale of Kashmir Cabinet Mission was in India) that the sale by the British of the Vale of Kashmir to Gulab Singh in 1846 was an invalid act. The Dogra Dynasty, therefore, should leave Kashmir forthwith.[19] The Dynasty's response was to arrest Sheikh Abdullah yet again (he had been in and out of the Maharaja's prisons since 1931). In reply to the public protest which this action aroused, during which hundreds were arrested and at least twenty killed, the Maharaja's Prime Minister, Pandit R.C. Kak, placed the State under martial law. Sheikh Abdullah and a number of his colleagues in the National Conference were put on trial, and eventually Sheikh Abdullah was sentenced to three years imprisonment for sedition. Bakshi Ghulam Muhammad and G.M. Sadiq, however, managed to evade the Maharaja's agents and make good their escape to the Punjab.

The "Quit Kashmir" agitation by the National Conference was accompanied by a certain amount of supporting activity on the part of the revived Muslim Conference. Officially, the Muslim Conference adopted a policy of non-involvement in what it perceived to be a political ploy on the part of Sheikh Abdullah's faction in

alliance with the Indian National Congress outside the State in British India: some of the Muslim Conference leaders were definitely parochial in their political outlook. In the event, many of its members, including some who were close associates of Mirwaiz Muhammad Yusuf Shah, did participate energetically in public demonstrations in support of the "Quit Kashmir" movement. The Mirwaiz, however, had been persuaded by Pandit Kak, who had great skill in handling the more traditional Kashmiris with his mastery of the Kashmiri language, that the whole affair was a bit of trouble making by Sheikh Abdullah; and the Mirwaiz temporarily allowed his personal animosity towards Sheikh Abdullah to get the better of his political judgement. The relative quiescence of the Muslim Conference at this time un-doubtedly did much to reinforce Jawaharlal Nehru's conviction (which was to be such an important factor In the following year) that Sheikh Abdullah's National Conference alone had any significant popular following in the State. This was certainly a false impression as Pandit Kak well knew: he did not hesitate to take the Muslim Conference leader Chaudhri Ghulam Abbas into custody at this time.

It was against this background that at the end of 1946 the Maharaja decided upon fresh elections to the Legislative Assembly (PrajaSabha) to be held in January 1947. They were boycotted by the National

Conference but contested by the Muslim Conference (despite many of its leaders being in prison), The Muslim Conference won fifteen of the Muslim elective seats in the Legislative Assembly, the remainder being unfilled because of nomination screening by the Maharaja's Government. On 19 July 1947 the Muslim Conference, with the largest elected representation in the Legislative Assembly, passed a resolution advocating accession of the State of Jammu and Kashmir to Pakistan, though a faction within the Conference, including its Acting President Chaudhri Hamidullah Khan, preferred the option of the State remaining independent.

By 1947, as has already been noted, Sheikh Abdullah had become a close friend of Jawaharlal Nehru. The two men had first met in Peshawar in early 1938, and through Nehru Sheikh Abdullah had become involved in the affairs of the All-India States' People's Conference (which been founded in the late 1920s to be to the Princely States what the Indian National Congress was to British India). In 1940 Nehru, accompanied by Khan Abdul Ghaffar Khan (the "Frontier Gandhi"), toured Kashmir and in the process helped establish Sheikh Abdullah's wider political reputation. Jawaharlal Nehru was enormously taken with Sheikh Abdullah who, he noted at the time, was a true leader of this people. His followers loved him. He possessed a broad political vision and was not

distracted by transient disputes. Kashmiri political life had started as a communal movement; but Sheikh Abdullah, Nehru believed, had extricated it from that impasse and transformed it through his statesmanship from futile communalism into infintely more fruitful nationalism.[20] In 1945 the National Conference held a session at Sopur (a town in the Vale of Kashmir some forty miles or so to the north-west of Srinagar): Jawaharlal Nehru, along with Khan Abdul Ghaffar Khan and Maulana Abul Kalam Azad, attended at Sheikh Abdullah's invitation.[21]

1946 saw Jawaharlal Nehru's last direct encounter with both Sheikh Abdullah'and the affairs of the State of Jammu and Kashmir before the outbreak of the great Kashmir crisis in 1947. Sheikh Abdullah had just been elected Vice-President of the All-India States' People's Conference while Jawaharlal Nehru was President of that body. Sheikh Abdullah was actually on his way to Delhi at Nehru's invitation on business in connection with the All India States' People's Conference when, on 21 May 1946, he was arrested, as we have already seen, by the Maharaja's Government for his part in the "Quit Kashmir" movement. After bombarding Pandit Kak with representations on behalf of his friend Sheikh Abdullah, Nehru decided to go up to Srinagar himself and sort things out. He was refused entry to the State on 20 June 1946 and detained, gently and comfortably

enough, for a couple of days in Uri Dak Bungalow near the Punjab border. Jawaharlal Nehru never forgave Pandit Kak for his exclusion from his ancestral home, which he took as a personal insult.[22] In order to save face, he resolved to repeat his attempted entry to the State in the near future; and this time he would not be turned back. A number of leading Congress politicians persuaded the Viceroy, Lord Wavell, to approach the Maharaja and smooth the way. When Nehru tried again' in July 1946, he experienced no difficulty in reaching Srinagar, where he was able to visit Sheikh Abdullah in prison and to attend part of his trial. The Maharaja, however, refused to meet Nehru on grounds of ill health.[23]

Jawaharlal Nehru saw in Sheikh Abdullah, a fellow Kashmiri, something of a reflection of himself; and he firmly believed that they shared the same goal of a secular independent India incorporating all the territory that had been part of the British Raj. To Jawaharlal Nehru there could be no doubt that this objective also represented the will of the bulk of the people within Kashmir as elsewhere in India. It was a conviction which was to contribute enormously to the shape of the history of the State of Jammu and Kashmir from 1947 until the present day.

Kashmir, of course, had long before 1947 also attracted the attention of those nationalist leaders who

advocated Partition and the creation out of portions of the former British Indian Empire of a Muslim State, Pakistan. Indeed, the K in the PAK part of the word Pakistan was generally taken to represent Kashmir. As we have seen, one of the creators of the idea of Pakistan, Sir Muhammad Iqbal, himself of Kashmiri origin, had been active in drawing the Government of India's attentions to Kashmiri misgovernment following the events in Srinagar of July 1931. The true founder of Pakistan, Muhammad Ali Jinnah, had personally investigated the state of Kashmiri politics during a private visit to Srinagar in 1936. He came to Srinagar again in 1944 when he was offered the thankless task of trying to sort out the differences between the Muslim Conference and the National Conference (leaders of both bodies having first called on him in Lahore and Delhi). After failing to mediate successfully, he made it clear that he disapproved of Sheikh Abdullah's secularism and that the only body in Kashmir which truly represented the Muslim majority was the Muslim Conference.[24] M.A. Jinnah, unlike Jawaharlal Nehru, was extremely reluctant at this period to involve himself directly (or the Muslim League which he headed) in the internal affairs of a Princely State; such action would in his eyes have been constitutionally most improper.[25] The record, however, leaves one in no doubt that in his own mind M.A. Jinnah believed that the Muslim Conference enjoyed the support of the

overwhelming majority of the population of the Vale of Kashmir at least, and in all probability the rest of the State as well.

This, then, was the political situation in the Vale of Kashmir on the eve of the Transfer of Power in 1947. There was a profound divide between the revived Muslim Conference and Sheikh Abdullah's National Conference which was in significant measure rooted in the quarrel between Sheikh Abdullah and Mirwaiz Muhammad Yusuf Shah. Neither party could demonstrate a true popular mandate. The electoral system provided for by the 1934 and 1939 Constitutions only permitted the representation of less than 10% of the population; and it was subject to considerable manipulation, particularly in the matter of nominations. In 1947 many of the leaders of both parties were in prison and the National Conference, having boycotted the 1946 elections, occupied no seats in the State Legislative Assembly where the Muslim Conference had a strong presence. Sheikh Abdullah's secular approach was supported by a number of representatives of the Kashmiri Pandit community and others; but it is likely that among the non-Muslims in the State the majority (many of whom had powerful vested interests in the Dogra regime) supported the authority of the Maharaja rather than the ideals of Sheikh Abdullah.

On the eve of the Transfer of Power, of course, no one knew for sure what would happen were the question of the future of the State of Jammu and Kashmir to be put to the entire electorate in a fair and free manner. It was unlikely that the proposition that the Maharaja's autocracy be permitted to continue as it was would win a majority of votes. Less certain would have been the outcome of an unfettered electoral contest between the views represented by Mirwaiz Muhammad Yusuf Shah, imprecise though they might be, on the one hand and those of Sheikh Abdullah on the other. Sheikh Abdullah's faction was well organized and had considerable attraction for the intelligentsia. It also advocated land reform which could well have appealed to the poorer sections of society.[26] The Islamic 'fundamentalism, moderate though it was, of Mirwaiz Muhammad Yusuf Shah probably attracted that bulk of the population of the Vale of Kashmir which had no voice at all in the electoral system of the 1934 and 1939 Jammu and Kashmir State Constitutions.

Notes:

1. On begar, see: P.N.K. Bamzai, A History of Kashmir, Political, Social, Cultural, from the Earliest Times to the Present Day Delhi 1962, pp. 634-636.
2. The institution of Mirwaiz figures prominently in the political history of Kashmir.
   I have been unable to find in the literature any adequate study of this feature of Kashmiri Islam. It is not, for example, discussed at all in Sir Walter Lawrence'sclassic *The Valley of Kashmir*, published in 1895. The Mirwaiz is a religious leader who also holds a position in the community which might be described as in significant respect political. The office is hereditary; but there would seem to be an appointive element in that the holder is in some manner confirmed by the Government.
   In Srinagar there were in the period covered by this Chapter two Mirwaiz, one based on the Jama (Friday) Mosque and the other on the shrine associated with the Saint Mir Syed Ali Hamadani, or Shah-i-Hamadan, the Khanqah-i-Mualla. According to Lawrence the teaching of jama Masjid was Hanifite while that of the shrine of Shah-i-Hamadan was Shafiai. The two Srinagar Mirwaiz did not always agree on matters political as well as theological.

It may well be that the institution of Mirwaiz is peculiar to Islam as it develop in the vale of Kashmir.

3. for an excellent study of the history of all aspects of the early stages of Islamic politics in Kashmir, see: G.H.Khan's essay, "Early socio-Religious Reform Movements in Kashmir", Muhammad Yasin & A Qaiyum Rafiq, eds., History of the Freedom Struggle in Jammu & Kashmir, New Delhi 1980.

4. This point was put to me in 1966 in Pakistan by a Kashmiri with a unique fund of Knowledge concerning all aspects of the Kashmir question. I did not take him very seriously at the time; but after some 25 years of reflection, I have conclude that he may well have had a point.

5. The Khilafat movement was the outcome of a reaction on the part of Indian Muslims to the peace terms which the British were in the process of imposing upon the defeated Ottoman Turks. During the course of 1920 Mahatma Gandhi associated the Indian National Congress with the movement and related the fate of Muslim turks to that of of Indian Muslims. The Khilafat Movement was effectively ended in 1924 when Kemal abolished the institution of the Caliphate. The Khilafat movement, though of duration, marks an important phase in the evolution of Hindu- Muslim

relations within the context of the Indian independence movement. See: Khalid B. Sayeed, *Pakistan. The Formative Phase 1857-1948,* London 1963, for an interesting discussion of this topic.

6. The Kashmir silk industry became a State monopoly in 1889. It was then established on modern lines with the advice of Sir Thomas Wardle, President of the Silk Association of Great Britain and Ireland. By 1907 the State of Jammu and Kashmir had become one of the world's leading producers of silk yarn. See: M. Ganju, *Textile Industries in Kashmir (Jammu and Kashmir State),* New Delhi 1945; Sir T. Wardle, *Kashmir: its New Silk Industry, with some Account of it Natural History, Geology, Sport Etc.,* London 1904.

7. Quoted by: M.Y. Saraf, *Kashmiris Fight - For Freedom,* Volume 1, Lahore 1977, p.349.

8. See, for example: H.L. Saxena, *The Tragedy of Kashmir,* New Delhi 1975.

9. Founded largely through the influence of Sir Sayyid Ahmad Khan in 1875 as the Anglo-Oriental College, Aligarh became a full University in 1920. From the outsetit was designed to enable Muslims of ability to

compete on equal terms with Hindus for places in Government service.

10. Prem Nath Bazaz was born in 1905, the son of a policeman in the Jammu and Kashmir State service; and he died in 1985. He graduated from the University of the Punjab in 1927 and *then* returned to Kashmir where he obtained a minor post in the State Government in the office of the Chief Engineer, Roads and Building Department. He soon gave this up, however, to devote his life to journalism and politics. His *History of the Struggle for Freedom in Kashmir, Cultural and Political, from the Earliest Times to the Present Day,* New Delhi 1954, is a classic. For a fascinating biography of this remarkable man by his daughter, see: Nagin Bazaz, *Ahead of his Times. Prem Nath Bazaz: His Life & Work,* New Delhi 1983.

11. Many commentators on Kashmiri politics, particularly those like S. Gupta writing from the Indian point of view, have insisted that this protest movement was from the outset secular in nature. The facts, which are admirably documented, cannot support such an interpretation. See: S. Gupta, *Kashmir: A Study in India-Pakistan Relations,* London 1967.

12. See, for example: Saxena, *Kashmir, op. cit.,* which devotes several hundred pages to the development of this theme. See also: Baghwan Singh, *Political Conspiracies of Kashmir,* Rohtak 1975,

13. According to Lawrence, the appellation Sheikh in Kashmir indicated a family which he had fairly recently converted to Islam from Hinduism. See: Lawrence, *Kashmir, op.cit.,* p. 292.

14. Chaudhri Ghulam Abbas was from Jammu, to which he had returned from Lahore with a degree in law in 1931. He rapidly became leader of the Jammu Young Men's Muslim Association, where his position could perhaps be compared to that which Sheikh Abdullah had acquired in Srinagar.

15. The 1934 franchise was restricted to village and district headmen, priests, managers of religious property, holders of titles, those who paid Rs. 20 either as land revenue or municipal tax or Rs. 60 as rent, those who owned a house worth Rs. 600 or more, medical practitioners, pensioned officers, and those who had passed the Middle School Examination or its equivalent. Women, in general, were excluded except for those with the required educational

qualification. It was intended to enfranchise about 10% of the adult population but, in practice, this franchise gave the vote to 3% or less. See: Vidya Bhushan, State Politics and Government: Jammu and Kashmir, Jammu Tawi 1985, pp. 44, 365.

16. The word ‘usually means “tiger”, there being no lions native to the subcontinent.

17. Nedous’s son, and hence Sheikh Abdullah’s brother-in-law private Secretary to the Maharaja of Indore at the time of the accession crisis in October 1947; and Sheikh Abdullah’s family stayed in indore during these crucial days when the fate of Kashmir was to be decided.

18. The 1939 Constitution added seven highly specialised elected seats to the original thirty-three; but these were carefully designed to produce members guaranteed to support the Maharaja. The 1939 Constitution owed a great deal to that distinguished Kashmiri Pandit Sir Tej Bahadur Sapru.

19. Sheikh Abdullah submitted in the name of the National Conference a memorandum to the Cabinet Mission. This document is reproduced in: Bhushan, State politics, op. Cit., Appendix III.

20. Selected Works of Jawaharlal Nehru, Vol. 11, New Delhi 1978, p. 407.

21. During this visit Nehru and Azad, Accompanied by Nehru's daughter Indira Gandhi and escorted by Sheikh Abdullah, took part in a river boat procession traditional to Srinagar ceremonial. The occasion was marred somewhat by hostile demonstrations by members of the Muslim Conference which were challenged by supporters of the National Conference. The Jammu and Kashmir State police did not intervene- the Maharaja had no affection either for Nehru or for what he stood for. At least one National Conference member was killed in the clashes between the two parties see: selected Works of Jawaharlal Nehru, vol. 14, New Delhi 1981, p. 393

    Indira Gandhi and Sheikh Abdullah were to participate in a similar Srinagar river procession in 1975.

22. Maharaja Hari Singh's Son, Karan Singh, Considers that Nehru's arrest was the turning point in the history of Kashmir. The Maharaja, Karan Singh noted, had completely failed to assess the importance of Nehru in the India that lay in the immediate future. See: Karan Singh,

Heir Apparent. An Autobiography, New Delhi 1982, p. 40.

23. This episode gave rise to voluminous correspondence on the part of Jawaharlal Nehru. See also: S. Gopal, Jawaharlal Nehru. A Biography.Volume one 1889-1947, London 1975, pp. 321-323.

24. Jinnah's visit to Kashmir in 1944 is described in some detail in: Saraf op. Cit., Vol 1, pp. 622-638.

25. Though in 1942 he did tell the viceroy that he thought the Maharaja of Jammu and Kashmir really ought to appoint a Muslim prime Minister.

26. It is interesting in this context, however, that soon after Sheikh Abdullah came to power in late 1947 he introduced one of the most drastic programmes of land power reforms ever to have seen in the subcontinent. The degree of its popularity. Certainly in the medium to long term, is open to question; and it did nothing to remove the Islamic component in Kashmir politics.

PARTITION 1947

It took the British more than three hundred years to build up their Indian Empire. They dismantled it in just over seventy days in 1947. Such a rapid collapse of imperial structures would hardly surprise anyone today in the light of what has been happening in Eastern Europe. In 1947, however, the European empires still seemed solid enough edifices (despite the lesson of the Japanese conquests half a decade earlier). The true weakness of the British position was not widely appreciated. In fact, after the terrible winter pf 1946-47 Britain was on the verge of financial catastrophe. In February 1947 the Attlee Cabinet had to adopt a policy of a drastic reduction of overseas responsibilities. It resolved to abandon its role both in combating the Communists in Greece and in supporting the economy of Turkey, It decided to give up the thankless task of mediating between Arab and Jew in the Palestine Mandate which it now declared would be handed back to the United Nations (successor to the League of Nations which had granted it just after World War I) by June 1948. Finally, it announced that by the same date it would transfer power in the Indian subcontinent to a successor regime or regimes.

This was the background to the Mountbatten Viceroyalty (22 March to 15 August 1947) which not only brought the British Indian Empire to an end but also saw the first stage of the Kashmir dispute between India and Pakistan.

The logic behind the Cabinet decisions of February 1947 was clear enough. Britain could no longer afford costly imperial entanglements of the kind already present in the Eastern Mediterranean and which threatened to develop in India. She should cut her losses. If so, then the more rapidly this were done the better. In a crisis one could not take into account every long term consequence. It followed that if it were good to get out of India by June 1948, it might well be preferable, at least from the British point of view, to get out rather earlier. When on 4 June 1947 Mountbatten announced that the British departure date would now be 15 August 1947, a day possibly symbolic as the second anniversary of the end of the War with Japan, he was certainly acting in the spirit of the British Cabinet decisions of February 1947, even though he may on his own initiative have accelerated somewhat the timetable.[1] It was also quite in keeping with this spirit that, it has been said, the basic final plan for the dividing up of the British Indian Empire was drawn up in four hours (by V.P. Menon) and accepted by the British Cabinet after a discussion lasting all of five

minutes. Having failed to persuade the two challengers to their position in India, the Indian National Congress and the Muslim League, to accept any formula for continued unity, the British Government accepted that a particularly drastic partition of their Imperial legacy, into Muslim and non Muslim-majority sectors, offered the best way forward; and this would now be implemented by means of a crash programme. Partition was widely seen to be preferable to the alternative of "Plan Balkan" and its variants, the break up of the British Indian Empire into its myriad component parts.[2]

The haste with which Partition was executed guaranteed that there would be serious problems to plague the successor states to the British Raj. Such traumatic surgery was unlikely to heal without complications. One side effect was the exacerbation of communal tensions in the subcontinent resulting in massacre and migration on a colossal scale: another was the set of circumstances which resulted in the outbreak of the Indo-Pakistani conflict over Kashmir. Some observers have blamed Mountbatten for causing these unhappy consequences of Partition. Denying the inevitability of M.A. Jinnah's Two Nation India, they have argued that had Partition been delayed, its very necessity might have been avoided. They point out that in 1947 Jinnah was already terminally ill. Had

Partition been postponed to a point when Jinnah was actually on his deathbed (as would have been the case if theoriginal date of June 1948 had been adhered to), would there have been the will to create a Pakistan at all? Perhaps, without an active Jinnah the Muslim League might yet, when faced with the practical difficulties of Partition, have opted for some kind of federal structure which preserved the basic unity of the old British Indian Empire.

Such speculation is not particularly fruitful; but it has appealed to many Indians who have never been able to come to terms with the underlying logic of Partition. Given, many Indian commentators have said, that India is a secular state in which as about as many Muslims live as in Pakistan, what need has there ever been for an Islamic State at all? Perhaps Pakistan, it could have been argued, was no more than a temporary expedient devised by the British to solve a transient problem. This, it seems certain, was Jawaharlal Nehru's view in 1947. As Nehru put it, in a letter to K.P.S. Menon (Indian Ambassador in China) on 29 April 1947: he was in no doubt that eventually India would have to become a single country, and it could well be that Partition was but a stepping stone on the path towards that goal.[3] Such reasoning would certainly go far to explain why Jawaharlal Nehru, and some of his Congress colleagues (notably Sardar Valabhbhai

Patel and the Congress President, Acharya Kripalani), collaborated so wholeheartedly in the hasty Partition plan proposed by Mountbatten and worked out in detail by V.P. Menon (who was probably as much Congress's man as the Viceroy's).

The reality, of course, was that, whatever the merits of secularism might or might not be, by 1947 there existed no practicable alternative to some kind of division of the British Raj between Muslims and non-Muslims, though this might have been achieved in practice in a number of ways. In the event, by May 1947 the type of Partition proposed by Mountbatten seemed to offer the only escape from a political impasse. The last Viceroy may well be blamed for the manner, and the speed, of its execution; but he was not responsible for the necessity for Partition as such. This was a product of the historical evolution of the subcontinent with a dynamic which no man could withstand.

The mechanics of Partition as applied to the Punjab, more than any other single factor, created the immediate background to the Kashmir dispute. The theory was that all Muslim-majority districts contiguous to the Muslim core of the Punjab would go to Pakistan. In the event, with the awarding of three out of the four *tehsils* (sub-districts) of Gurdaspur District to East Punjab (that is to say the part of the Punjab which

was to be Indian), the accession to India of the State of Jammu and Kashmir became a practical, as opposed to theoretical, possibility. Because two of these *tehsils,* Batala and Gurdaspur, were areas with significant Muslim majorities (only Pathankot *tehsil* then had a small Hindu majority), this award seemed to go against the basic spirit of Partition; and the Gurdaspur decision has consequently been the subject of a great deal of discussion ever since. Mountbatten has been accused, particularly in Pakistan, of having participated in this manipulation of Partition with the deliberate intent to favour the interests of India over those of Pakistan.

The practicalities of Partition, arising out of the so-called Mount-batten Plan of 3 June 1947, with the new deadline of 15 August 1947 announced the following day to replace what most observers had hitherto anticipated would be the moment of the final act of the Transfer of Power, June 1948, involved two Boundary Commissions, both to be under the Chairmanship of a distinguished British jurist, Sir Cyril Radcliffe (Vice-Chairman of the English Bar Council). One Commission would deal with the Partition of Bengal and the other would concern itself with the Punjab. In both Commissions Sir Cyril Radcliffe would be assisted by four Commissioners from the Dominions-to-be, India and Pakistan, two Muslims and two non-Muslims, all

senior Judges. The decisions of the two Commissions would be final; and the leadership of both the Muslim League and the Congress agreed to abide by them. In the case of the Punjab the Muslim Commissioners were Din Muhammad and Muhammad Munir; and the non-Muslim Commissioners were Mehr Chand Mahajan (Hindu) and Teja Singh (Sikh). In the event, since the Commissioners consistently voted on communal lines with Mahajan and Teja Singh acting in concert, Sir Cyril Radcliffe had to make his awards by the liberal application of his casting vote Sir Cyril Radcliffe's major qualification for this task, it appeared, was his almost total ignorance of Indian affairs: he had never before set foot in the subcontinent.

Radcliffe arrived in New Delhi on 8 July 1947 and the final award was ready and in the hands of the Viceroy's staff on 12 August 1947 following a preliminary version on 8 August. The terms of reference of the Commission for the Punjab were these:

> The Boundary Commission is instructed to demarcate the boundaries of the two parts of the Punjab on the basis of ascertaining the contiguous majority areas of Muslims and non-Muslims. In doing so, it will also take into account other factors.

What "other factors" were involved was never spelled out: nor, given Radcliffe's inexperience in Indian affairs, was it made clear who would draw the Commission's attention to them. There was an understanding latent in the whole process, however, that they would be "judicial" rather than "political", that is to say that they would relate to practical geographical, economic and structural - matters rather than to the aspirations of the leaders-to-be of the two successor states to the British Raj. The question of the Princely States and their future was certainly not part of the Commission's brief: in the Punjab it was concerned solely with the devising of a line which ran from the border with the State of Jammu and Kashmir to that with the State of Bahawalpur (which was destined to join Pakistan).[4] The Commission's deliberations were to be secret and its work was to be isolated entirely from the all political pressures which those concerned with other aspects of the Transfer of Power might wish to exert.

This was the theory. In practice, of course, everything that the Commission did was "political" in that it affected the future of both India and Pakistan and of millions who would be citizens of one or other Dominion. Anything that was to contribute to the death of some 500,000 people and the uprooting of millions more, as was the most immediate

consequence of the Partition of the Punjab, was surely rather "political" than "judicial". Secrecy was impossible to maintain as the Muslim and non-Muslim Commissioners showed no reluctance in communicating what they knew to leaders of the Pakistani and Indian sides. The isolation of the Commission from political pressures was an ideal; but many observers at the time doubted its reality. It was hard to believe that such serious matters of policy would be left entirely to the casting vote of one man who had no previous experience of Indian affairs. Moreover, Sir Cyril Radcliffe was accommodated while in India in Viceroy's House (if not in the main building, then in a guest house in the compound) where willy nilly he was in contact with Mountbatten and his staff. It seemed unlikely that they never discussed Boundary Commission matters with the Chairman.

We will never know the detailed story of the Boundary Commission since its records have not survived. When Sir Cyril Radcliffe left India on 15 August 1947, the day of the Transfer of Power but before the Commission's awards had been published (though they were known to the leadership both in India and Pakistan), he took no papers with him; and his subsequent comments threw scant light on what had gone on.

The Boundary Commission proceedings in the Punjab, in that they relate to the Kashmir dispute, raise two major questions. First: did Mountbatten have a policy of his own as to the future of the State of Jammu and Kashmir which involved the fact of that crucial access to it from India by way of the Gurdaspur District; and, indeed, did he actually appreciate the importance in this context of that District? Second: if so, did that policy and that appreciation in any significant way influence the final decision of the Boundary Commission which awarded the three key *tehsils* of the Gurdaspur District to India despite the fact that two of them had Muslim majorities?

These are not easy questions to answer, even now. Many Pakistani writers have maintained that the Radcliffe Commission was somehow manipulated by Mountbatten to ensure that the State of Jammu and Kashmir retained that essential access to India provided by the three eastern *tehsils* of the Gurdaspur District and so avoid the necessity of joining Pakistan. Others, including one of Nehru's biographers, Michael Brecher, and more recently the official biographer of Mountbatten, Philip Ziegler, have declared that the evidence cannot support any such charge.[5] Mountbatten, they affirm, had absolutely nothing to do with Radcliffe's award. These latter versions of Mountbatten's part in the Gurdaspur affair, however,

can no longer be accepted, uncritically. The official publication in the United Kingdom Between 1980 and 1983 of the four final volumes of a selection of the British documents relating to the Transfer of Power in India has made easily available a great deal of information which throws light, directly or indirectly, on the history of Partition. It is now possible to offer some analysis of British attitudes towards both the future of the State of Jammu and Kashmir and the part to be played by the Radcliffe Commission on the basis of something better than indignation, speculation and partisan argument; and this is what will be attempted here.[6]

By the time that Mountbatten arrived in India to take over as Viceroy from Wavell on 22 March 1947 the Government of India had a pretty clear idea as to what the State of Jammu and Kashmir might wish to do after the Transfer of Power. If at all possible, it would opt for "independence from India. As the British Resident in Jammu and Kashmir reported from Srinagar on 14 November 1946:

I am inclined to think that the Maharaja and Kak. [Pandit R.C. Kak, Prime Minister of Jammu and Kashmir from 1945 until 11 August 1947] . . . are seriously considering the possibility of Kashmir not joining the . . . [Indian] . . . Union if it is formed. . . . The Maharaja's attitude is, I suspect, that once Paramountcy disappears

Kashmir will have to stand on its own feet, and that the question of loyalty to the British Government will not arise and that Kashmir will be free to ally herself with any power - not excluding Russia - she chooses.[7]

In that a major objective of British policy since the sale of the Vale of Kashmir to Gulab Singh in 1846 had been to keep Russian influence out of that north-western corner of the Indian subcontinent which the State of Jammu and Kashmir occupied, this was an alarming conclusion. Russian influence, now Communist, could well threaten the stability of the successors to the British. It would be best if the State of Jammu and Kashmir were prevented from experiments in an independent foreign policy. Firm control over the State was clearly called for; and there were arguments current among those who determined British Indian strategy that this could more effectively be exercised by India than by Pakistan. A hint that Jawaharlal Nehru, who would certainly be the Prime Minister of independent India, was of like view, emerged from a meeting with Mountbatten on 22 April 1947. When Mountbatten pointed out that the Princely States "would have complete freedom of choice" as to which successor entity to the British they could join "independent of geographical considerations", Nehru noted correctly enough that "the future of Kashmir might produce a difficult problem".[8]

On 29 April 1947 Mountbatten showed that he had been giving considerable thought to one important aspect of the geopolitics of the State of Jammu and Kashmir when he advised the Secretary of State for India in the British Government, Lord Listowel, on the problem of the future of the Gilgit Lease and its dependencies. What would happen here when Paramountcy lapsed? At this point the date for the Transfer of Power was still understood to be June 1948.

Mountbatten recommended that the entire area of the Gilgit Lease should be returned to the State of Jammu and Kashmir before then, perhaps as early as October 1947. Listowel agreed. Jawaharlal Nehru, too, concurred when asked what he thought about this major strategic problem. M.A. Jinnah does not appear to have been consulted.[9] Mountbatten's attitude towards the Gilgit Lease is extremely interesting. As we have already seen in Chapter 4, that region which the British knew as the Gilgit Agency, was leased from the Maharaja of Jammu and Kashmir in 1935 for sixty years. The main reason was strategic, the need to observe and, perhaps, counter actively, Soviet influence in Sinkiang, a need which certainly had not disappeared in 1947. It would be difficult to make out a case for the transfer at this juncture of the defense of Gilgit to Maharaja Sir Hari Singh: it was largely to keep the area out of the

Maharaja's hands that the Gilgit Lease had been secured in the first place. Yet here was Mountbatten apparently abandoning this vital outpost to the Jammu and Kashmir State authorities. It was an action which only made sense on the assumption that those authorities would soon turn out to be based not in Srinagar and Jammu but either in New Delhi or in Karachi.

Had Mountbatten, or his advisers in what was a technical matter of Indian strategy, been prepared to let Pakistan be the guardian of the Gilgit Agency and the high passes of the Karakoram, he could perfectly well have left the Gilgit Lease alone. The original contract was between the State of Jammu and Kashmir and the Government of India. Paramountcy had nothing to do with it, there was no reason why it should lapse automatically on 15 August 1947; and as an added precaution its extension could have been covered easily enough by a Standstill Agreement. In which case, it could be argued that the tenancy of the Lease would pass, along with sovereignty over other British administered territory, to the appropriate successor Dominion which, by the terms of Partition, would of course mean Pakistan since the leased areas were certainly not at that moment contiguous with India and they clearly possessed a Muslim-majority population. There is, therefore, more than a hint here that Mountbatten hoped that the role of guardian of the

Northern Frontier would be filled in the end by India rather than by Pakistan. This is a conclusion very strongly reinforced by the logic of the history examined here.

If, while he was contemplating the future of the Gilgit Lease, Mountbatten was not yet aware of M.A. Jinnah's interest in Kashmir he could have been left in no doubt on 17 May 1947 when M.A. Jinnah pointed out to him the significance of the name Pakistan. He explained the derivation of the word Pakistan — P for Punjab; A for Afghan (i.e. Pathan or N.W.F.P.); K for Kashmir; I for nothing because that letter was not in the word in Urdu; S for Sind and TAN for the last syllable for Baluchistan.[10]

In June 1947, with the announcement of the 15 August 1947 deadline for the Transfer of Power, the problem of the future intentions of the two big States which had indicated an interest in an independent existence after Partition. Hyderabad and Jammu and Kashmir, became much more urgent, Mountbatten made it abundantly clear that he was personally unhappy about the prospect of independence for either. On 9 June 1947 he announced that he was instructing the British Residents in both States to urge the Rulers to make no announcements on independence until he had had the opportunity to visit them and discuss the matter with them in person.[11]

Mountbatten, accompanied by Lady Mountbatten and by his Chief of Staff Lord Ismay, arrived in Srinagar on 17 June 1947 and was back in New Delhi six days later.

Just before his departure, on 14 June 1947, Mountbatten received a private letter from Krishna Menon which, in a somewhat confused and emotional manner, warned him that there might be dire consequences for the future of Anglo-Indian relations if the State of Jammu and Kashmir were permitted to go to Pakistan. The gist of the argument seemed to be that it might be perceived that British policy, while accepting the abandonment of India, was to make Pakistan, strengthened by the accession of the State of Jammu and Kashmir, into the eastern frontier of a British sphere of influence in the Middle East. Such a development would not be at all popular in the newly independent India; and it might put at risk the extensive British interests there. It was essential in Menon's view that State of Jammu and Kashmir be brought within the Indian fold.[12]

As he was about to set out from New Delhi for Srinagar Mountbatten received a long Note on Kashmir, dated 17 June 1947, which he had earlier requested Jawaharlal Nehru to prepare for him. After pointing out that in the State of Jammu and Kashmir the Muslims made up 77% of the total population,

Nehru argued that the people of the State would approve of its accession to India because of their devotion to Sheikh Abdullah and his National Conference. The Muslim Conference, which had allied itself to M.A Jinnah's Muslim League, "had little influence in the State". In 1946, at the time of the "Quit Kashmir" movement (when Nehru had suffered the humiliation of being refused admission to that region whence his family had sprung), the Prime Minister of Kashmir, Pandit Kak, had ruthlessly suppressed the National Conference, putting Sheikh Abdullah and his colleagues in prison, and had punished its supporters by withholding supplies of fuel and food to the population of the Vale of Kashmir during the winter, and by allowing the police and military to open fire on crowds, killing many people. Kak's regime was corrupt and dominated by a small clique; but it had both frightened and isolated the Maharaja. Kak, Nehru continued, had told the Maharaja that Mountbatten personally favoured the State joining Pakistan not only because of its geographical position but also because, if it joined India, the result would be "communal riots in the State and that possibly hostile people from the surrounding territory of Pakistan might enter Kashmir and give trouble". In that Mountbatten had never said anything of the sort to anybody, this piece of hearsay could only have served to irritate the Viceroy and increase his distrust

of the current Prime Minister of the State of Jammu and Kashmir.[13]

From all this, and more, Jawaharlal Nehru drew the following conclusions. The State of Jammu and Kashmir should undergo major reform to become a democracy with the Maharaja as its constitutional head. In order to achieve this goal, Pandit Kak had to be removed as Prime Minister and Sheikh Abdullah and his associates released from prison. "What happens in Kashmir", Nehru went on, "is, of course, of the first importance to India as a whole not only because of the past year's occurrences there,[14] which have drawn attention to it, but also because of the great strategic importance of that frontier state". Nehru concluded:

> If any attempt is made to push Kashmir into the Pakistan Constituent Assembly there is likely to be much trouble because the National Conference is not in favour of It and the Maharaja's position would also become very difficult- The normal and obvious course appears to be for Kashmir to join the Constituent Assembly of India, This will satisfy both the popular demand and the Maharaja's wishes. It is absurd to think that Pakistan would create trouble if this happens.[15]

This fascinating document repays careful study. It cannot have failed to impress Mountbatten.

While in Srinagar, Mountbatten was unable to persuade the Maharaja to discuss serious matters. Nor could he, as Jawaharlal Nehru had suggested he try, see Sheikh Abdullah in prison; and Lady Mountbatten found it impracticable to meet Begum Abdullah. Mountbatten made no attempt to visit another of the Maharaja's political prisoners, Chaudhri Ghulam Abbas, or to seek the views of Mirwaiz Muhammad Yusuf Shah (which might have been hard going because of the Mirwaiz's virtually complete lack of English). He did, however, communicate with the State Prime Minister, Pandit Kak. The record here is capable of being interpreted in more than one way. Mountbatten (in the form of reporting a discussion with the Maharaja which it would seem may never have taken place - the Maharaja went out of his way to avoid the slightest policy discussion with the Viceroy) advised Kak that the State of Jammu and Kashmir would have to accede to either India or Pakistan as it would have great difficulty protecting itself on its own. However,

> It was not for him . , , [Mountbatten] . . . to suggest which Constituent Assembly they should join, but clearly Kashmir should work this out for themselves on the basis of the best advantage to the ruler and his people,

> and in consideration of the factors of geography and the probable attitude" of the Congress and of the Muslim League respectively to Kashmir. If Kashmir joined the Pakistan Constituent Assembly presumably Mr. Jinnah would protect them against pressure from the Congress. If they joined the Hindustan Assembly it would be inevitable that they would be treated with consideration by Hindustan.[16]

At first sight this is fairly evenhanded. But is it? There is, for example, the *certainty* of a Congress welcome contrasted with the *probability* of Mr. Jinnah's ability to "protect" against some danger unspecified. It would not be too difficult to interpret these words as implying that the Maharaja of Jammu and Kashmir would be well advised to join India if he entertained any hope of retaining his own position in the ' State. The Congress would keep him on his throne: Mr. Jinnah and his Muslim League would make sure that his Muslim subjects brought about his overthrow

Almost immediately on his return to New Delhi from -Srinagar, Mountbatten reported the results to Jawaharlal Nehru. He said that he had advised Pandit Kak that the decision to join either India or Pakistan could well be deferred for a while, until the situation

was a bit clearer, but that in the meantime there should be no statement about independence. He had suggested that, pending a decision, the State of Jammu and Kashmir should enter into a "standstill" agreement with both India and Pakistan. In the end, before finally making up his mind, the Maharaja "should consult the will of the people and do what the majority thought best" for the State. If this consulting of "the will of the people" meant what was indicated in Nehru's Note of 17 June, then Mountbatten may well have believed that the outcome, under the leadership of Sheikh Abdullah, would have been accession to India.

Jawaharlal Nehru was disappointed that Mountbatten had been "unable to solve the problem of Kashmir, for", he declared, "the problem would not be solved until Sheikh Abdullah was released from prison and the rights of the people restored". He seemed determined to go up to Srinagar himself to see what he could achieve. It was with great difficulty that Mountbatten was able to dissuade him on the grounds that Nehru "really must look to his duty to the Indian people as a whole. There were four hundred millions in India and only four millions in Kashmir". It was rather irresponsible of the future Prime Minister of India, Mountbatten observed, to spend so much time on what was but one of the many grave problems

confronting him. It was agreed eventually that Mahatma Gandhi should go to Kashmir in Nehru's place to take up the "question of Sheikh Abdullah"; and Mountbatten wrote to the Maharaja to pave the way.[18] When the Maharaja tried to put Gandhi off, Nehru revived his own plan to go: Mountbatten found it far from easy to persuade him to stick to the original arrangement.[19] The Gandhi visit in due course took place.[20]

A tentative answer to the first part of our first question about Mountbatten and Kashmir can at this stage be offered. Mountbatten disliked the prospect of independence for the State of Jammu and Kashmir after the Transfer of Power. While publicly declaring that the Maharaja was perfectly entitled to accede either to Pakistan or to India, the documents cited here do rather suggest that he personally favoured a solution where the Maharaja left the decision to Sheikh Abdullah's National Conference which appeared to him to be representative of the people of the State as a whole; and, as Nehru's Note suggested, Sheikh Abdullah would surely opt for India. This outcome would in his view not only be politically just but also geopolitically desirable in that it ensured that the Gilgit Agency and the defense of the Northern Frontier would remain in Indian hands. We can never be absolutely certain; but that is what the balance of probabilities would indicate.

This leaves the second half of the first question, whether Mountbatten appreciated the importance of the Gurdaspur District. Only if the three eastern *tehsils* of Gurdaspur were awarded to India by the Boundary Commission would the accession of the State of Jammu and Kashmir to India be a practicable proposition, as opposed to a theoretically desirable one (at least, according to the conventional wisdom of the day). The answer here is unequivocal: Mountbatten did appreciate this fact. As he said to the Nawab of Bhopal and the Maharaja of Indore on 4 August 1947, the State of Jammu and Kashmir was "so placed geographically that it could join either Dominion, provided part of Gurdaspur were put into East Punjab by the Boundary Commission".[21] In other words, only by giving Gurdaspur to India would the Maharaja of Jammu and Kashmir be presented with a free choice: to give Gurdaspur to Pakistan was effectively to guarantee that the State of Jammu and Kashmir would sooner or later fall to that Dominion.

This leads to the second question. Was the final award of the Boundary Commission influenced in any way by Mountbatten (or his close advisers) for "political" ends? The published documents provide some evidence which, if not conclusive, is certainly circumstantial.

In the original proposals for Partition it was generally understood by the Pakistan side, and probably by at

least the majority of the Indian side as well (despite a strong hint by Mountbatten to the contrary on 4 June when he observed that "it is unlikely that the Boundary Commission will throw the whole of the . . . [Gurdaspur] . , . district into the Muslim-majority areas"),[22] that Gurdaspur was a Muslim-majority District in the Punjab which would go to Pakistan in its entirety. This conclusion was indicated in the notional boundary between India and Pakistan with which the Boundary Commission started in July 1947, derived from the First Schedule of the Indian Independence Act of 18 July 1947, which also pointed to a Muslim-majority salient along the southern edge of Amritsar District in the Lahore region of Pakistani territory jutting into the Indian part of the Punjab.[23] Together, this southern salient and Gurdaspur resulted in Muslim-majority territory which almost surrounded Amritsar, a city of supreme importance to the Sikhs; and the attitude of the Sikhs presented by far the greatest immediate problem for Partition in the Puniab. The Sikh problem has not gone away; but, fortunately, it need not detain us here beyond noting that it could of itself provide a sound "political" reason for the alteration of the boundary, around Amritsar to include not only some of the southern salient but also Gurdaspur (or, at least, its eastern *tehsils)* in India. This Sikh component has complicated greatly the interpretation of the records

by those in quest of answer to the mysteries of the origins of the Kashmir dispute.

On 8 August 1947 there emerged from Sir Cyril Radcliffe's establishment a provisional boundary map on which, there is strong evidence to indicate, the southern salient had been modified in what seemed to be Pakistan's favour by substituting for a small portion of the Lahore District (the tip of the original salient, created by the need to somehow transfer the Indo-Pakistan border from the line of the Ravi to that of the Sutlej, which it could be argued on this particular alignment encroached more than it was absolutely necessary upon what the Sikhs regarded as their special land around Amritsar) the adjacent Ferozepore and Zira *tehsils* of Ferozepore District, thus extending Pakistan to the eastern side of the Sutlej.[24] The same map also indicated that the three eastern *tehsils* of Gurdaspur District were now located on the Indian side of the Partition line.[25]

Sir George Abell, Mountbatten's Private Secretary, immediately communicated the contents of this map to Stuart Abbott, Secretary to Sir E. Jenkins, the Governor of the Punjab, through whose Province the new boundary would run. Jenkins also received at this time a memorandum of some kind on the question of the boundary award from Christopher Beaumont, a member of Sir Cyril Radlciffe's staff. Thus several

members of the Punjab Government were aware of the current state of Radcliffe's thinking on partition by 9 August.[26] So, also, it would seem were many other people.

There was, for example, immediate objection from the Indian side to the location of the Ferozepore and Zira *tehsils* in Pakistan, it being clearly impossible to confine such a secret to the inner circle of Viceroy's House, New Delhi, and Government House, Lahore. Not only were several Rulers whose States depended upon irrigation works cut by the proposed Radcliffe line much disturbed by the dangers which they detected in the Boundary Commission's proposals, but also a wide selection of officials, not all of them of particular seniority or major importance, found cause for concern.[27] Thus on 9 August 1947 Jawaharlal Nehru wrote to Mountbatten enclosing a memorandum by A.N. Khosla, Chairman, Central Waterways, Irrigation and Navigation Commission, reporting various items of gossip, including the account of an eavesdropped lunchtime conversation between Sir Cyril Radcliffe and his Commissioners, to the effect that the award to Pakistan of the Ferozepore and Zira *tehsils* to Pakistan was a compensation for the award of the three eastern *tehsils* of Gurdaspur to India.[28] Khosla pointed out that, if true, this arrangement would be most undesirable on technical irrigation grounds: Ferozepore and Zira,

as well as Gurdaspur, would have to be in India if certain canals were to operate adequately.

Jawaharlal Nehru's letter of 9 August is intriguing. If a relatively junior official like Khosla could pick up confidential discussions on Boundary matters by Radcliffe and his colleagues, it did not say much for the secrecy in which the Radcliffe Commission was alleged to have carried out its task. Moreover, why should Nehru have chosen to convey this titbit of information to the Viceroy at this particular time? Was he trying to influence the Radcliffe Commission by way of Mountbatten in at least three ways, to ensure that the Ferozepore *tehsils* did not go to Pakistan, to guarantee that whatever decision was in the air concerning the award to India of the three eastern *tehsils* of Gurdaspur was adhered to, and to provide reasons for both these decisions which could be argued to be "judicial" rather than "political"? -

Mountbatten politely rebuked Nehru for this letter. "I hope you will agree", he wrote, "that I should not do anything to prejudice the independence of the Boundary Commission, and that, therefore, it would be wrong of me even to forward any memorandum, especially at this stage".[29] All the same, on 10 or 11 August 1947 the Governor of the Punjab, Jenkins, received a telegram from Viceroy's House, New Delhi, which told him to "eliminate salient", in other words,

delete from Pakistan (as shown in the earlier version of the partition proposals which he had received on 8 August) the Ferozepore and Zira *tehsils,* and put them in India.[30] Moreover, in the final award (which was ready on 12 August) the location of the Ferozepore and Zira *tehsils* in India was justified on grounds of good irrigation policy, as was, also, the Indian possession of the three eastern *tehsils* of Gurdaspur in India (which had already been shown on the map of 8 August).

On 8 or 9 August 1947 news of the award of the three eastern *tehsils* of Gurdaspur to India reached Liaquat Ali Khan (Finance Minister in the Interim Government and the closest of M.A. Jinnah's associates), who up to this time (as also the two Muslim Commissioners on the Punjab Boundary Commission) had no reason to doubt that all of Gurdaspur District would go to Pakistan following the logic of the principles of Partition in that this was a Muslim-majority District contiguous with the Muslim-majority part of the Punjab.[31] He at once protested to Lord Ismay that the reported decision was "political" which, if so, was "a grave injustice which will amount to a breach of faith on the part of the British".[32]

Lord Ismay replied thus:

> You surely do not expect the Viceroy to suggest to Sir Cyril Radcliffe that he should

> make any alteration. Still less can I believe that you intend to imply that the Viceroy has influenced this award. I am well aware that some uninformed sections of public opinion imagine that the award will not be Sir Cyril Radcliffe's but the Viceroy's, but I never for one moment thought that you, who are completely in the know, should ever imagine that he could do such a thing.

Liaquat Ali Khan, who was destined to be Pakistan's first Prime Minister, and who had to deal with some of the consequences for his country of the Gurdaspur award, clearly thought that the Viceroy was capable of just that.

On 11 August 1947, at this crucial stage between the Radcliffe Commission's provisional award of 8 August and the final document of 12 August (but which was not to be published until after the Transfer of Power on 15 August), the Prime Minister of Jammu and Kashmir, Pandit Kak, was dismissed ("sacked" was Mountbatten's term) by the Maharaja and replaced by a soldier in the Maharaja's service (and kinsman), Major General Janak Singh.[33] The Maharaja, Mountbatten noted in his Personal Report dated 16 August 1947 (but, perhaps, written earlier), "now talks of holding a referendum to decide whether to join Pakistan or India, provided that the Boundary Commission give

him land communication between Kashmir and India", that is to say Gurdaspur; and hence "it appears, therefore, as if this great problem of the States has been satisfactorily solved within the last three weeks of British rule".[34] This was certainly evidence that Mountbatten appreciated the link between the award of Gurdaspur and the future of the State of Jammu and Kashmir.

Is there, however, in all this a conspiracy? We certainly do have hints that the Radcliffe Commission was not operating in complete purdah. Common sense suggests that it is very improbable that certain British officials, if not Mountbatten then some of his advisers like Lord Ismay, were not keeping an eye on the Radcliffe Commission proceedings.[35] Given the importance of these deliberations, it would have been irresponsible if there had not been such a watch. Common sense also indicates that those same British officials would do what they could to ensure that the three eastern *tehsils* of Gurdaspur District would be awarded to India, if only to present the Maharaja of Jammu and Kashmir with a genuine choice. As has already been noted, to award them to Pakistan was, in the current climate of opinion, tantamount to directing the State of Jammu and Kashmir to join Pakistan. To award them to India, on the other hand, still left open in theory the question of the future of the State of Jammu and Kashmir.

If this is so, then it rather looks as if the business about the Ferozepore District *tehsils* was an abortive attempt to find some sop to Pakistan in recompense for the loss of the Gurdaspur *tehsils,* an attempt which foundered on several rocks, not least that of the Sikhs, who needed a great deal of persuading to accept the redefinition of their homeland which was involved in Partition, What it also suggests is a process of modification or final adjustment in the Radcliffe Commission award taking place in anything but total secrecy and isolation from politically interested parties, as witness the comments of Khosla on the basis of gossip picked up here and there.

Behind all this there may well have been some last minute endeavour to persuade the Maharaja of Jammu and Kashmir to make up his mind to follow the anticipated advice of his prisoner, Sheikh Abdullah, and accede to India before the actual Transfer of Power. For such a step there seemed to be two prerequisites, the removal of Pandit Kak as Prime Minister of Jammu and Kashmir (an action within the power of the Maharaja) and the guarantee (which, it could argued, Mountbatten could alone deliver) of a practicable land link between the State of Jammu and Kashmir and the rest of India. It is possible that one reason for the delay in the publication of the Radcliffe awards, which were to hand in their final version on 12 August 1947,

was to leave the Maharaja in doubt about Gurdaspur until he had made up his mind to take the final step, accession to India, possibly with Sheikh Abdullah at the head of his Government. It could well have appeared to Mountbatten that if the future of Gurdaspur seemed to be as yet undecided the Maharaja might be induced to turn to India before the Transfer of Power on the grounds that if he did not do so then Gurdaspur might still be given to Pakistan. A Pakistani Gurdaspur would surely be the signpost pointing towards a Pakistani Jammu and Kashmir and the end of the Dogra Dynasty. Also, of course, if the Maharaja did accede to India before the publication of the Radcliffe award then the British could hardly be accused of having manipulated that award to bring about such an accession. In the event, the Maharaja did not accede to India while the British Raj was still in being for its last few days; and with the publication of the awards, which could hardly be delayed for more than a day or so after the Transfer of Power was complete, this particular inducement for the Maharaja to make up his mind would have lost its force. Once published, the Maharaja knew that there were no Practicable difficulties in the way of his joining India should he so wish; and he could afford to take his time in making up his mind.

The use of the deliberations of the Radcliffe Commission as a lever in the negotiations over the Maharaja's accession to India would not, in the real world of politics, have been particularly discreditable. Its public exposure, however, would have revealed that the independence of the Commission was something of a charade. That it was just this is, of course, highly probable. Mountbatten, in the run up to the Transfer of Power, still believed that he might have a part to play as Governor General of both India and Pakistan, perhaps, indeed, in this role being able to undo some of the damage wrought by the very process of Partition (over which he had presided) to the structure of a united polity in the subcontinent (in which case, of course, who got Gurdaspur would not matter very much). If so, he could not allow himself to be blamed for the many hard decisions which Partition involved with the possible suggestion of bias towards either India or Pakistan. It was vital that Mountbatten appeared to be impartial, neutral and above party in all his actions during the birth process of the two Dominions. Here the Radcliffe Commission, seeming to act in total independence, was an extremely useful scapegoat. Any claimed injustices could be blamed upon Sir Cyril Radcliffe, a man who not only had no previous involvement in Indian affairs but, on the very day of the Transfer of Power and before his awards had been published, would remove himself from the subcontinent

never to return. Sir Cyril's value in this particular respect, however, would disappear the moment that the slightest hint of Viceregal interference with the Commission's deliberations was allowed to escape. This could explain, at all events, Moutbatten's dogged defense for the rest of his life of the reputation for total independence of the Radcliffe Commission, and his refusal to comment on the growing corpus of documentary evidence to the contrary.

The most serious charge against the last Viceroy's handling of the accession of the State of Jammu and Kashmir in the final weeks of the British Raj, if there is any merit in the speculations outlined above, is the degree to which Mountbatten (or his advisers) seem to have accepted Jawaharlal Nehru's views about Kashmiri politics and to have failed to explore the Muslim dimension, The records reveal no checking of Nehru's Note of 17 June 1947 by the seeking of other opinions, The names of Ghulam Abbas and Mirwaiz Yusuf Shah simply do not appear in the briefing papers available to Mountbatten who was presented with but a single view, that Sheikh Abdullah and his National Conference represented the overwhelming majority of the people of the State of Jammu and Kashmir. When M.A. Jinnah raised the question of the Muslim Conference, as he did, for example, on 13 July 1947, he was not, it would seem, taken seriously.[36]Yet the

matter was clearly not lacking in importance. If the Muslim Conference really had been representative of the opinion of the Muslim majority in the State of Jammu and Kashmir (or even a significant portion of it), then the policy of backing Sheikh Abdullah was fraught with dangers both short term and long term, At the very least the matter should have been investigated; but the available evidence seems to be that it was not.

The main point, of course, which is apparent in the documents published in the three final volumes of *The Transfer of Power,* is that Mountbatten got on well with Jawaharlal Nehru, whom he both admired and trusted; and he had no great personal affection for M.A. Jinnah. This fact, which was well known at the time, was to lead to a great deal of speculation and many rumours of scandal which did nothing to make the decisions of Partition easier to accept by those who felt they were not on the favoured side. It is hard to reject the suspicion that Nehru's Note on Kashmir of 17 June 1947 greatly reinforced Mountbatten's subsequent attitude, already influenced by the question of the future defense of the Northern Frontier, towards the State of Jammu and Kashmir and the place that would now be occupied by Sheikh Abdullah; and this because Mountbatten unhesitatingly trusted what Nehru had to say. Had a Note on this subject, regardless of its contents, been written by M.A. Jinnah or Liaquat Ali

Khan, one cannot help wondering, would it have had anything like the same impact upon Mountbatten?

Notes:

1. Mountbatten always maintained that during his Viceroyalty he possessed full powers. While the degree to which he was in fact independent of the Cabinet in London is open to question, there can be no doubt that Mountbatten accepted complete responsibility for everything which he did as Viceroy of India up to 15August 1947.
2. In the last years of the British Raj there were those who proposed, either in desperation or as a means to bring the various parties to their senses, that the British should withdraw, stage by stage, leaving behind them whatever polities might manage to take their place. Thus the great achievement of a united India would not have outlasted the Raj, the temple, as it were, would be brought down along with the British.
3. See: M.J. Akbar, *Nehru. The Making of India,* London 1989, p. 405.
4. The Nawab of Bahawalpur toyed briefly with the idea of independence after the Transfer of Power; but on 3 October 1947 the State acceded formally to Pakistan.
5. See: Michael Brecher, *Nehru. A Political Biography,* London 1959, pp.359-361; Philip Ziegler, *Mountbatten. The Official Biography,* London 1985, pp. 419-422.

6. Publication of the twelve volumes of *Constitutional Relations between Britain and India. The Transfer of Power 1942-47,* began in 1970. The project was announced by Prime Minister Harold Wilson in 1967. The Editorship-in-Chief was entrusted to Professor P.N.S. Mansergh, who, with various Editors or Assistant Editors, remained in charge of the entire series. The volumes which relate particularly to the origins of the Kashmir dispute, and which are used here, are: Vol. IX *The fixing of a time limit, 4 November 1946-22 March 1947,* London 1980; Vol. X *The Mountbatten* Viceroyalty, Formulation of a Plan, 22 March-30 May 1947, London. 1981; Vol. XI The Mountbatten Viceroyalty, Announcement and Reception of the 3 June Plan, 31 May-7 July 1947, London 1982; Vol. XII The Mountbatten Viceroyalty, Princes, Partition and Independence, 8 July-15 August 1947, London 1983. These Volumes will be referred to here as TP IX, TP X, TP XI and TP XII; and references to documents will be made by means of the document numbers in the relevant Volumes.
7. TP IX, No. 37.
8. TP X, No. 194.
9. TP X, No. 254. Technically, therefore, the Gilgit Lease had been returned to the State of Jammu and Kashmir before its accession to India in October 1947 in that the 1935 lease agreement would have automatically lapsed with the Transfer of Power on 15 August 1947. V.P. Menon argued that the Gilgit Lease reverted to the direct control of Jammu and Kashmir immediately after the

announcement of Mountbatten's plan of 3 June 1947; and he stated that the Political Department, that body of the Government of India responsible for day to day relations with the States, had so informed the Maharaja. See: Menon, Indian States, op. cit., p. 393.

On 30 July 1947 a Governor (or Wazir), Brigadier Gansara Singh, appointed by the Maharaja arrived in Gilgit only to find that the Gilgit Scouts (the military power in the region), and without doubt the bulk of the Gilgit population, wanted to join Pakistan. The Governor was powerless. On 1 November 1947 he was arrested by the Gilgit Scouts whose commander, Major W. Brown, assisted by Captain Matheson, on 3 November agreed with his men that they should come out openly for Pakistan. On the following morning the flag of Pakistan was raised over Gilgit where two weeks later a Political Agent of the Government of Pakistan arrived. As an illustration of the wishes of one part at least of the population of the State of Jammu and Kashmir the Gilgit episode is of great interest. See, for example: Hassnain, Gilgit, op. cit., pp. 146-158, for an account of the final days of the Gilgit Lease. It is interesting that in the reverted Gilgit Lease Hunza was deemed to be included in those territories which now were to be controlled by the .Maharaja. In fact, Hunza by the late 1930s had ceased to be treated by the

Government of India as anything but a State in its own right, just like Chitral.

10. TP X, No. 473. The whole word Pakistan, Liaquat Ali Khan then went on to say, meant "pure land".

    The name Pakistan, it seems, was devised by Chaudhri Rahmat Ali in 1933. From that time the K in the word always bore the same significance: it referred to Kashmir.

11. TPXI, No. 108.

12. TP XI, No. 201. Menon asked Mountbatten not to keep this letter; but it has survived among the Mountbatten papers. Menon's letter echoes discussion which had been in progress for some time over the role of a Pakistan-like polity in the British Commonwealth that was emerging immediately after the War. The thought was present that Pakistan could become the eastern flank of a British influenced power block including Mesopotamia, Jordan, Palestine and the Canal Zone. There was a great deal of unreality in all this; but it did influence some people's thoughts at the time.

13. This alleged statement of Mountbatten's has often been quoted by Indian writers as evidence that, he really wanted the State of Jammu and Kashmir to go to Pakistan. The documents support no such conclusion.

14. A reference to the arrest of Sheikh Abdullah following the "Quit Kashmir" campaign, and to Nehru's own exclusion from the State.

15. TP XI, No. 229.

16. TP XI, No. 294.

17. In that it seems likely that the conversation between Mountbatten and Maharaja Hari Singh never took place, it is probable that this document was intended more "for the record" than as an account of what actually had happened.

18. TP XI, No. 386.

19. TP XII, Nos. 78, 129, 149, 249, 255, 259, 260, 269, 277, 280, 302. This affair occupies a surprising amount of space in TP XII.

20. Gandhi eventually reached Srinagar on 1 August and went on for a call at Jammu on 5 August. He spent much time with Begum Abdullah and had talks with both the Maharaja and Pandit Kak. When he arrived in Srinagar the authorities were

celebrating the return of the Gilgit Lease. It is interesting that Gandhi, whatever else he might have thought about the future of Jammu and Kashmir, believed that Gilgit should not be returned to the Maharaja's rule but granted at the least some kind of autonomy. See: S. Gupta, Kashmir, op, cit., pp. 108-109.

This, incidentally, was not the only visit to the Maharaja by leading personalities on the Indian side on the eve of the Transfer of Power. There were also Kashmiri excursions by Acharya Kripalani, the then President of Congress, and the Sikh Rulers of Patiala, Kapurthala and Faridkot, States in the East Punjab which had decided to accede to India. Kapurthala, of course, was a State with a Muslim majority (at least until the massacres that accompanied Partition) and a non-Muslim Ruler.

21. TPXII, No. 335.22.

22. Quoted in: Latif Ahmed Sherwani, The Partition of India and Mountbatten, Karach;1986, p. 125.

23. TP XII, Map at end.

24. This was a departure, albeit temporary as events turned out, from one of the basic principles which Sir Cyril Radcliffe had established for himself,

namely that Pakistan should not extend to the east of the Sutlej.The small corner of the Lahore district transferred to India was that on the right bank of the Sutlej at the point where the Lahore, Amritsar and Ferozepore Districts met a corner of the State of Kapurthala. There appears to have been no objection from the Pakistan side. These various changes between the original provisional map and the final Radcliffe award are not always easy to work out in .detail because of the actual wording of the award. They become clear, however, when maps from just before and just after 15 August 1947 are compared See, for example, the two maps reproduced in: P.V. Ghai, The Partition of the Punjab 1849-1947, Delhi 1986.

25. See, for example: Chaudhri Muhammad Ali, The Emergence of Pakistan, London1967, pp. 218-219. Also: TP XII, No. 377. The map has not survived. What it showed is deduced, therefore, from indirect (but convincing for all that) evidence. Chaudhri Muhammad Ali (later to be a Prime Minister *of* Pakistan), *for* example, saw the 8 August Radcliffe boundary marked on a map in Ismay's office in Viceroy's House when, on 9 August, he called to protest on behalf of *Liaquat Ali* Khan against the reported award of the Gurdaspur *Tehsils* to India. Ismay apparently

was much embarrassed at this breach of security and made haste to cover the map up.

26. Documents arising from all this were communicated in 1948 to the Government of Pakistan by Jenkins' successor, Sir F. Mudie. See, for example: Sherwani, *op. cit.,* pp. 173-177; Ziegler, *Mountbatten, op. cit.,* pp. 419-421; Hodson, *op. cit.,* 352-355.

27. For example: TP XII, No. 405, telegram from the Maharaja of Bikaner to Mountbatten, 10 August 1947,

28. TP XII, No. 395.

29. TP XII, No. 406.

30. The Punjab Government, which Would have to police the new border after the Transfer of Power, was clearly interested as to where exactly that border might run so dial it could take precautionary measures.

31. The general assumption at this point was that the Radcliffe Commission would tend to make its award on the basis of Districts rather than lesser divisions such as *Tehsil.* If so, then the Hindu-majority Pathankot*tehsil* would be included along with the remaining, Muslim-majority, *tehsils* of Gurdaspur District.

32. TPXII, No. 428.

33. TP XII, No. 456

34. TP XII, No. 489. The Personal Report of 16 August 1947 uses language which suggests that Mountbatten did not know the final decisions of the Radcliffe Commission. As he was in possession of this information on 12 August 1947 (TPXII, No. 488), it seems reasonable to suppose that he was being very careful to suppress in this Report all traces of his prior knowledge. There would seem to be the whiff of economy with the truth here.

    Mountbatten dictated portions of these Reports at odd moments (when he was not compiling an elaborate family tree of the Battenbergs). The final Reports were assembled from the various segments and duly edited. The Reports were evidently intended to be a record of the last Viceroyalty destined for the eyes of the King and then, eventually, for publication. They were a major source used by Hodsonin his *Great Divide, op. cit.*

35. The episode of the communication to Punjab of the provisional award of 8 August,and its subsequent modification, has already been noted. Mountbatten apologists, like Ziegler, Hodson and Brecher, have all accepted the official explanation thatwhat was happening here was a bit of

bureaucratic error by junior officials. These explanations seem, at least to the present author, to be improbable. There were good administrative grounds both why Viceroy's House should have kept a careful watch on Radcliffe and that Punjab should have been in possession of advance warning of the award. The British Government of India, even in these final hours of its life, was not manned by gentlemen amateurs but by extremely experienced players.

36. TP XII. No. 87.

ACCESSION (Occupation) 1947

On 15 August 1947, with the Maharaja's failure to decide to accede to either India or Pakistan, the problem of the future of the State of Jammu and Kashmir became greatly more complicated. No longer could it be contained by a single authority, that of the last Viceroy, Lord Mountbatten. The State was now technically independent and both India and Pakistan had acquired lives of their own. Mountbatten was still Governor General of India; his authority, however, was clearly circumscribed there, and to what degree his writ ran in Pakistan (where he had been denied the Governor-Generalship by M.A. Jinnah, who had resolved to keep the post for himself) was far from clear. There was still a united military supreme command under Sir Claude Auchinleck (which lasted until the end of November 1947); but its sanction of the last resort over the two armies which it supervised was in effect limited to the ability to withdraw British officers.[1] The leaders of neither India nor Pakistan were reconciled to the prospect of the territory of the State of Jammu and Kashmir, of such obvious strategic and economic, let alone psychological, importance, remaining in the limbo that it found itself at the moment of the Transfer of Power. Strong characters like M.A. Jinnah on the Pakistan side and Jawaharlal Nehru and Sardar Vallabh

bhai Patel (perhaps in some respects the toughest of them all) in India were certainly not going to abandon the Kashmiri prize without a fight.[2]

At the eleventh hour, with Pandit Kak out of the way (soon after his dismissal he was placed under house arrest), the Maharaja's Government sought to follow one item at least of Mountbatten's advice and secure a Standstill Agreement with both India and Pakistan. This was a device which had emerged from the mechanics of the Indian Independence Act of July 1947 which would enable a State, while making up its mind what to do following the lapse of British Paramountcy, to ensure that the old arrangements of trade, communications and services continued with what had hitherto been British India. On 12 August 1947 the new Prime Minister of Jammu and Kashmir, Janak Singh, proposed by telegram a Stand still Agreement with both Pakistan and India. Pakistan agreed on 15 August 1947. India procrastinated, arguing that the matter needed to be negotiated by an official from the State sent to New Delhi. No such official was ever despatched for this purpose and no Standstill Agreement ever concluded. The Indian response was certainly a departure from the procedure which Mountbatten had earlier indicated; and it suggested that Indian policy after independence was going to set out into hitherto uncharted waters.

Despite the Standstill Agreement, it was inevitable that in Pakistan, too, fresh approaches to the Kashmir problem should start to be explored. Many Pakistanis, and not only the leaders like M.A. Jinnah and Liaquat Ali Khan, once they appreciated the implications of the award by the Radcliffe Commission of the three eastern *tehsils* of Gurdaspur District to India, felt a profound sense of betrayal. It was understandable that some of them should begin to contemplate unorthodox, and unofficial, courses of action.

The situation, moreover, was exacerbated by the prevailing disorder in the Punjab and adjacent regions. Communal violence, which had already begun before the announcement of Partition, reached a climax at the moment of the Transfer of Power. The attacks by Hindus and Sikhs on Muslims, and by Muslims on Hindus and Sikhs, inevitably overflowed into the territory of the State of Jammu and Kashmir. Reports of atrocities bred fresh atrocities. The Punjab story at this period is confused enough, What exactly went on in the remoter corners of the State of Jammu and Kashmir may never be described with certainty; but that the region suffered its share of disturbances is not open to doubt.

In these conditions the most urgent task facing Janak Singh's Government in the State of Jammu and Kashmir was not the accession question, which it

seemed could be put off for a while by devices such as Standstill Agreements, but the maintenance of the Maharaja's control over his own territories It was already clear that the Gilgit Scouts, who were the real power in the Gilgit Agency, were not going to submit to the Maharaja's authority just because of the technical lapse of the 1935 Gilgit Lease. It was also apparent that there was grave trouble brewing in Poonch.

The predominantly Muslim inhabitants of the old *Jagir* of Poonch had never reconciled themselves to the new regime imposed upon them by the Maharaja's Government in 1935-36. The traditional social links of the Poonch Muslims were far more with what was now Pakistan than with any part of the State of Jammu and Kashmir. Unlike the Muslims of the Vale of Kashmir, large numbers of men from Poonch (mainly Sudhans from the Sudhnuti *tehsil)* had served in the Indian Army during the War, and Poonch men ("Poonchies") also constituted a significant proportion of the strength of the Jammu and Kashmir State Forces: in 1947 the *Jagir* may have contained as many as 60,000 ex-servicemen who could provide a formidable nucleus for any resistance to the Maharaja. In June 1947 there began in Poonch a "no-tax" campaign which rapidly developed into- a secessionist movement from the State. This was greatly reinforced by a crisis throughout much of Poonch (and in Srinagar as well) when on 14 and 15

August people tried to celebrate "Pakistan Day" (which coincided with that "Kashmir Day" - 14 August - which had been observed since 1931) in defiance of the Maharaja's orders by displaying Pakistan flags and holding public demonstrations. Martial law was introduced. About two weeks after the Transfer of Power there were major clashes between State troops (in this case Hindu Dogras) and Poonch crowds resulting in a large number of civilian casualties.

By this time the communal situation in Jammu, the one part of the State where there was a large non-Muslim population, had deteriorated rapidly with bands of armed Hindus and Sikhs (including members of the RSS. Hindu extremists, Akali Sikhs and others) attacking Muslim villages and setting in train a mass exodus. It has been estimated that in August, September and October 1947 at least 500,000 Muslims were displaced from Jammu: perhaps as many as 200,000 of them just disappeared. Many of the survivors made their way to the western (Pakistani) side of the Partition line in the Punjab where they reported that these atrocities had been perpetrated not only by uncontrolled bands of hooligans but also by organised units of the Maharaja's Army and Police. It was inevitable that such events in Jammu should influence opinion both in Poonch, the one centre of effective

opposition to the Maharaja (outside the Gilgit Agency), and in Pakistan.

The Maharaja's Government, well aware of the danger brewing in Poonch, had already during July ordered all Muslims in the *Jagir* to hand over their firearms and ammunition to the authorities. Initially these instructions were complied with in some villages; but, when the same weapons started turning up in Hindu and Sikh hands, there was an inevitable reaction. Fresh supplies of weapons were sought from across the Pakistan frontier. As the major unofficial source of armaments here was in fact in the tribal tracts of the North-West Frontier with a long history of both arms smuggling and local arms manufacture, an incidental consequence was the establishment of direct contact between the Poonch resistance and tribal leaders along the Pakistan-Afghanistan border. By the beginning of September bands of Poonch men, some now equipped with weapons obtained from the Frontier or from other informal sources in Pakistan, had already come into conflict with Jammu and Kashmir State forces throughout the Poonch *Jagi r*and in Mirpur District of Jammu to its immediate south. There is some evidence that they were also being joined by small groups of volunteers from Pakistani territory on the west bank of the Jhelum, which was hardly surprising given the close links which had long existed across that river; and they

may also have begun to be reinforced at this early stage by a few Pathan tribesmen from the Frontier.

During the course of September 1947 the Poonch rising acquired a formal command structure. Muhammad Ibrahim Khan, a young lawyer who not only had served as a legal officer in the Maharaja's Government but also was a Muslim elected representative of Poonch in the Jammu and Kashmir Legislative Assembly (and associated with the Muslim Conference), had escaped from Srinagar at the end of August and made his way to Pakistan.[3] Here he tried to see M.A. Jinnah, who apparently refused to meet him on the grounds that he did not want to be involved personally in anything that was going on in the State of Jammu and Kashmir (and this reflected the initial attitude of the bulk of Pakistani officialdom). However, Muhammad Ibrahim Khan did manage to set up a base at the hill station of Murree, not far from the Poonch border, where he became the centre of an unofficial command post. Weapons were collected, many of them ancient muzzle loaders, ammunition was prepared, and supplies were smuggled across the Jhelum into Poonch and Mirpur where some kind of military organisation had been imposed upon the Muslim rebels (by men like Sardar Muhammad Abdul Qayyum Khan, a young landlord from Poonch who in later years would head the Government of Azad

Kashmir). Soon a number of Muslim officers in the Jammu and Kashmir State Army deserted the Maharaja and joined the opposition, to whom were added volunteers from Pakistan including several officers who had fought with the Japanese in the late War in the Indian National Army (and were now in a kind of professional limbo).

Muhammad Ibrahim Khan acknowledged in all this the assistance of Mian Iftikharuddin (1908-62), a Muslim League politician, Oxford educated and with reportedly rather left wing views, who came from an extremely wealthy Punjabi family which, among other assets, owned the *Pakistan Times* of which he was the founder. Mian Iftikharuddin, it is said, had been asked by M.A. Jinnah at the time of the Transfer of Power to visit Srinagar to try to contact Kashmiri leaders and assess the prospects of accession to Pakistan. On his return from Srinagar (this would seem to be some time in the first half of September 1947) Mian Iftikharuddin, who had concluded that a peaceful settlement of the Kashmir question was unlikely, decided to support Muhammad Ibrahim Khan's movement. He may well have helped in funding the acquisition of arms for the Poonch rebels.

By this time, or shortly after, others in authority in Pakistan had begun to take an active, albeit highly unofficial, interest in the Poonch revolt. A Pakistani

soldier, Colonel (ex-Major-General) Akbar Khan, who was later to become a senior commander in the first Indo-Pakistani Kashmir war under the pseudonym of "General Tariq" (after the Muslim leader who had crossed the Straits of Gibraltar into Spain in the beginning of the 8th century A.D,), records a meeting with the Prime Minister of Pakistan, Liaquat All Khan, as well as a number of leading Pakistanis including the Finance Minister, Ghulam Muhammad, the Governor of West Punjab, the Nawab of Mamdot, and a Minister in the Punjab Government, Sardar Shaukat Hyat Khan, during which practical steps to aid the rebels were considered.[4] The date of this meeting is unclear, perhaps mid-September 1947.[5] It did not indicate any official Pakistani direction of rebel strategy. The evidence tends to confirm that M.A. Jinnah was kept entirely isolated from such discussions.

Given that the Poonch troubles were taking place right on the Pakistani border a few miles away from major cities like Rawalpindi, some official notice was inevitable. Of the three basic options open to the Pakistani leadership, to ignore what was going on and leave the Poonch Muslims to their fate, to assist the Hindu Maharaja in suppressing the rebellion, or to permit (be it overtly or covertly, officially or unofficially) some degree of material assistance to reach the rebels from or over Pakistani territory, the actual course

adopted was probably the least that could be done within the prevailing political climate.

Military command of the Poonch movement appears at this stage to have been divided between Muhammad Zaman Kiani, a former officer in the Indian National Army (who had fought as a divisional commander on the Japanese side at Imphal), and one Khurshid Anwar, who had held some minor position in the organisation of the Muslim League.[6] The need to keep any actions secret from the highest command of the Pakistan Army, which was still British, severely restricted what could be done. Some 4,000 army surplus Lee-Enfield rifles intended for the Punjab police seemed to be available (though, in the end, for these were substituted weapons of highly inferior quality made in the North-West Frontier); but little else.

As the Poonch rebellion increased in intensity, there is evidence that the new Government of Pakistan explored a number of other approaches to the Kashmir problem. Documents are lacking, however, and subsequent polemic has had a baleful effect upon our knowledge of these initial stages of the crisis. One can only speculate.

One possibility may have been to exert a measure of economic pressure on the Maharaja to persuade him of the wisdom of accession to Pakistan, a

device of a kind which India was not slow to exploit in its arguments with the Rulers of Junagadh and Hyderabad (and which is no more than a variety of sanction which modern international opinion would probably consider to be quite respectable). The Government of Jammu and Kashmir protested against such activity which it declared had become evident during the course of September: it accused Pakistan of deliberately withholding supplies of petrol, oils, food, salt and cloth. It also sought, it would seem, assistance from India whence, by the middle of October, supplies of salt, sugar, kerosene and the like were being sent by lorry to Srinagar.[7]

On 2 October 1947 the Government of Pakistan denied that pressure was intended, pointing out that any falling off in supplies was probably due to such factors as the reluctance of lorry drivers to cross border tracts between Jarnmu and Kashmir and Pakistan which were then greatly disturbed by communal violence, the disruption of the Sialkot-Jammu railway through a temporary lack of coal and the blocking of roads by crowds of refugees set on the move by communal attacks (in all of which there was undoubtedly more than a grain of truth). It then proposed to send an officer to Srinagar, Major (later Colonel) A.S.B. Shah (at that time Joint Secretary of the Pakistan Ministry of Foreign Affairs which was also responsible for matters relating to the

State of Jammu and Kashmir), to discuss the improvement of the supply routes from Pakistan. The Government of Jammu and Kashmir, on 8 October 1947, declined to receive Shah until the Poonch situation, for which it was said Pakistan was largely responsible, had been brought under control. Shah went up to Srinagar anyway, where he had singularly fruitless discussions with various officials including the new Prime Minister Mehr Chand Mahajan (who formally assumed office on 15 October 1947). Mahajan related in his memoirs that Shah had brought with him a blank Instrument of Accession to Pakistan which he hoped the Maharaja would fill in and sign.[8]

On 18 October the Government of Jammu and Kashmir went so far as to declare that, if the present deterioration in political and economic relations between the State and Pakistan were not halted, "the Government fully hope that you . . . [Liaquat Ali Khan] . . . would agree that it would be justified in asking for friendly assistance", in other words in seeking Indian help with all that was thereby implied. To this Liaquat Ali Khan replied by telegram to the Prime Minister of Jammu and Kashmir on the following day that:

> We are astonished to hear your threat to ask for assistance. Presumably meaning thereby assistance from an outside power. The only object of this

> intervention by an outside power secured by you would be to complete the process of suppressing the Muslims to enable you to join Indian Dominion as *coup d'etat* against the declared and well-known will of the Mussalmans and others who form 85% of the population of your State. We must earnestly draw your attention to the fact that if this policy is not changed and the preparations and the measures which you are now taking in implementing this policy are not stopped the gravest consequences will follow for which you alone will be held responsible.[9]

The correspondence on this subject, which continued until the end of October 1947 with an increasingly acrimonious tone, can be interpreted, in a number of ways. What is clear is that within it is buried an exchange of threats concerning accession and reactions to accession of the greatest significance.

Another possible approach lay in the Junagadh question. The State of Junagadh, one of the Kathiawar group of States in Western India, was in some respects a mirror image of the State of Jammu and Kashmir. It had a large Hindu majority and a Muslim Ruler (noted for his passion for dogs) who wished to accede to Pakistan. In area it was much smaller than the State of

Jammu and Kashmir, some 3,000 square miles; and its population was under 1,000,000. In theory, since Junagadh had a long coastline along the Indian Ocean, there was an unobstructed line of communication with Pakistan, though the Junagadh port, Verayal, was closed during the monsoon. There were pockets of Junagadh territory in the middle of other Kathiawar States which had joined India; and within Junagadh there were tracts, notably Mangrol, which owed some allegiance to it but which had expressed a wish to join India. There were involved here, in fact, accessions within accessions in an environment of extreme political complexity?

On 15 August 1947, having held out until the actual moment of the Transfer of Power, the Ruler of Junagadh, the Nawab, acceded to Pakistan.[10] The timing may have been no accident; and there was certainly a close relationship between M.A. Jinnah and his advisers and the Dewan (Prime Minister) of Junagadh Sir Shah Nawaz Bhutto, a prominent supporter of the Muslim League who had taken over charge of the State in May 1947 (and who was the father of Zuifikar Ali Bhutto and the grandfather of Benazir Bhutto). It has been suggested by one shrewd commentator on this period, H.V. Hodson, that M.A. Jinnah and his Government saw in Junagadh a most useful weapon in the struggle for the State of Jammu and Kashmir.[11]

There were a number of obvious possibilities, a straight exchange of the State of Junagadh for the State of Jammu and Kashmir in which the final accessions were decided on communal grounds rather than by the whims of the Rulers, the provocation of India into military action in Junagadh (perhaps to rescue Mangrol) which could well have provided justification for Pakistan taking (or threatening) similar action in the State of Jammu and Kashmir, or the exploitation of the Junagadh situation to establish the precedent that the problem of the future of the State of Jammu and Kashmir should also be settled by a plebiscite.

On 30 September 1947 Jawaharlal Nehru accepted the idea of a plebiscite for Junagadh, and, he said, he invited the Pakistan Government, therefore, to submit the Junagadh issue to a referendum of the people of Junagadh under impartial auspices. By the middle of October, when as will be seen the entire nature of the Kashmir problem was being transformed, Pakistan had yet to respond officially to this proposal, though on 16 October 1947 Liaquat Ali Khan had indicated privately to Mountbatten that he accepted the plebiscite plan; but he was not yet ready to agree formally to an Indian offer. Presumably he required some Balancing suggestion *vis a vis* the State of Jammu and Kashmir which was patently not forthcoming at this time.

On 25 October 1947 (probably a fateful date) the Government of India decided to intervene in Mangrol, which meant in fact sending Indian troops across Junagadh territory and, hence, to all intents and purposes invading Junagadh. On 1 November 1947 Mangrol was taken, without bloodshed, under Indian administration. On 7 November 1947 Sir Shah Nawaz Bhutto in effect surrendered, accepting the Indian position in Junagadh subject to the results of a plebiscite: he said that this was the only way to put an end to the suffering of the people which had resulted from the virtual state of siege imposed by India. The Government of Pakistan, however, did not agree. Accession, whatever the Dewan might say, was valid. This was an inevitable reaction given the massive deterioration in the Kashmir question which had taken place in the last days of October. Pakistan has never since modified its stance on Junagadh: its official maps still include that State within its territory. India arranged a plebiscite (on the basis of a somewhat restricted electorate) in Junagadh on 20 February 1948 in which there was an overwhelming vote in favour of accession to India.[12]

During the course of September 1947 the attitude of the Maharaja of Jammu and Kashmir towards accession seemed to alter profoundly. While never happy about joining India, he believed that he

was unlikely to survive as a Ruler in any capacity whatsoever if he joined Pakistan. He still, it is certain, favoured the idea of independence; but, with the rising tide of popular resistance to his rule in his own territories, it was evident that he would need some help from India for which accession might be the price demanded. Whatever the long term outcome, the Maharaja appreciated that some major governmental changes were called for. In late August or early September he began to look for a new Prime Minister in the person of Justice Mehr Chand Mahajan.

The choice of Mahajan is extremely interesting. A native of the Kangra District of the Punjab, Mahajan had as a young man practiced law in Gurdaspur; and he probably appreciated better than most, therefore, what was implied when he was a member of the Radcliffe Boundary Commission which awarded the three eastern *tehsils* of Gurdaspur to India. The Commission's work completed, he had returned to the law as a Justice in the High Court of the East Punjab (as the Indian half of the Province which he had helped partition was now called). The post of Prime Minister was formally offered to him on 18 September 1947. He was urged by Sardar Vallabh bhai Patel to accept "in the interest of India". Having taken up the offer (on a short term basis, it transpired, since he sought but eight months leave of absence from the East Punjab High Court), he

consulted with Jawaharlal Nehru, to whom he explained that it was the Maharaja's intention to accede eventually to India and then undertake an administrative reform of the State. Jawaharlal Nehru made it clear that he saw as a prerequisite to any such reform the release from prison of Sheikh Abdullah (though he did not, it would seem, link directly at this time the question of Sheikh Abdullah with the Indian acceptance of the State's accession).

The available evidence rather suggests that Mahajan was actually the nominee of Sardar Vallabh bhai Patel (the Indian Deputy Prime Minister who was also in charge of the States Department), who had brought his name to the notice of the Maharaja in the first place, and that his appointed task was to see through accession to India. This impression is confirmed by Mahajan's visit to New Delhi on 11 October 1947, just before formally taking office as Prime Minister, when he called on Sardar Vallabh bhai Patel, Jawaharlal Nehru and Mahatma Gandhi. He also visited the Governor-General, Lord Mountbatten, who immediately sent him on to see V.P. Menon (Sardar Vallabh bhai Patel's right hand man in matters of the accession to India of States) in whom, Mountbatten said, he had great confidence. Despite noting the obvious connections between the State of Jammu and Kashmir and Pakistan, communal, economic

and geographical, Menon advised Mahajan to bring about the accession of the State to India anyhow. Mahajan did not seek an interview with any senior Pakistani politician or official before assuming office.

By the time of Mahajan's appointment, the Maharaja through his Deputy Prime Minister, R.L. Batra (a retired member of the Punjab Political Service), was already engaged in negotiations with Sheikh Abdullah, then still in prison (but under much improved conditions), on the kind of terms which might secure Sheikh Abdullah's freedom in exchange for his collaboration with the Maharaja's Government over the accession question. There was some urgency. The Maharaja was steadily losing control over large parts of his State, as his military commander Major-General H.L. Scott had already pointed out in his final report of 22 September 1947 before departing (to be replaced by Brigadier Rajinder Singh, a Dogra and a professional soldier in the Jammu and Kashmir State Armed Forces), Winter was approaching. By the end of October, or the beginning of November at the latest, so at least Jawaharlal Nehru (looking at the situation from the viewpoint of New Delhi) noted in a letter to Sardar Vallabhbhai Patel on 27 September, most of the State of Jammu and Kashmir would be Isolated from India. The Maharaja would then be cut off from outside help, should he need it, and the Pakistani people would

have a relatively free field. Accession to India was now a matter of extreme urgency, for which the Maharaja had to have the support of Sheikh Abdullah and his National Conference.[13]

On 29 September 1947 Sheikh Abdullah was released from detention, to be followed a few days later by other National Conference leaders; but nothing was done to free Ghulam Abbas and his Muslim Conference colleagues at that time.[14]

Immediately after the departure from the State of Jammu and Kashmir of Major-General Scott on 22 September (and now safer from British observation) some active steps were taken to strengthen links with India by providing Srinagar airfield with wireless equipment to make it more suitable for bad weather operation. Arrangements were made for the supply extra arms and ammunition to the Jammu and Kashmir State Armed Forces through an Indian military adviser, Lt. Col. Kashmir Singh Katoch (a regular officer in the Indian Army who was a son of Janak Singh, then still Prime Minister of Jammu and Kashmir, and related to Maharaja Sir Hari Singh), who was established in Srinagar at the beginning of October (and who remained there throughout the accession crisis); and by the middle of the month war material was being flown in to the State in significant quantities. Staff preparations were made for Indian troop

concentrations at Madhopur in the Pathankot *tehsil* near the Jammu border as potential reinforcements for the State Army. The improvement of the road from Jammu to the Indian frontier in the direction of Pathankot, begun around the time of the Transfer of Power, was accelerated; and telegraphic lines of communication were expanded. Batra, the Deputy Prime Minister of the State, was now in regular contact not only with Sardar Vallabh bhai Patel but also with Baldev Singh, the Defense Minister in the Government of India. No doubt there were other links between Srinagar and New Delhi; for example D.P. Dhar, a young Kashmiri Brahmin (Pandit) who was beginning his political career, certainly possessed close contacts at the higher levels of Indian political life.[15]

All this activity, recorded in considerable detail in the first volume of Sardar Vallabh bhai Patel's correspondence which was published in 1971, makes it clear that both Sardar Vallabh bhai Patel and Baldev Singh were heavily engaged in the planning of some kind of Indian military intervention in the State of Jammu and Kashmir, if only on a contingency basis, by at least 13 September 1947; and that by the third week of October a substantial foundation for such an operation had been laid. It is more than probable that some report of what they had in mind reached the Pakistani leadership; and it is highly unlikely that the

commanders of the rebellion in Poonch had no inkling of what was afoot in the Indian camp.[16] Whether the Governor-General and the senior British officers in the Indian Armed Forces had any idea what was going on cannot be determined from the available records. The Government of Jammu and Kashmir during this crucial period was also in contact with the Rulers of a number of Indian States who, despite their own accession to India, may to some degree have been operating independent policies. The Sikh Maharaja of Patiala, for example, in the first two weeks of October 1947 provided his colleague in the State of Jammu and Kashmir with a battalion of infantry and a battery of mountain artillery from his own State Armed Forces: perhaps this had been discussed when the Maharaja of Patiala visited Srinagar in July 1947. When Indian troops finally intervened in Jammu and Kashmir on 27 October 1947 they found, apparently to their surprise, Patiala gunners already guarding the vital Srinagar airfield, where they had been encamped since at least 17 October. The Patiala infantry were stationed in Jammu as reinforcements for the garrison of the Maharaja's winter capital.[17] How these troops were transported is not known: it is possible that they were moved as part of the supply convoys despatched to Jammu and Srinagar by the Government of India in reply to the alleged Pakistani "blockade". Shortly after the formal intervention of the Indian Army the Maharaja of Patiala,

Yadavindra Singh, came to Jammu to command his contingent in person.[18]

In that by October 1947 the Patiala State forces had by the terms of the State's accession to India (as part of the Patiala and East Punjab States Union) on 5 May 1947 come under the control of the Government of the Indian Union at the moment of the Transfer of Power, this deployment of Patiala State troops raises a number of questions which have yet to be answered, not least how they actually managed to reach the State of Jammu and Kashmir without the fact being reported to the senior British commanders still in the service of the Indian Army (who would surely have informed Mountbatten had they known).[19] The arrival of such exotic forces could hardly have escaped the notice of the Indian Army observer in the State, Lt.-Colonel Kashmir Singh Katoch. While it is probable that some members of the Indian leadership, including perhaps Sardar Vallabh bhai Patel and Baldev Singh, were aware of this development, there is no evidence that it had been brought to the attention of Jawaharlal Nehru; and it is likely that the Indian Prime Minister was kept deliberately in the dark about such covert operations.

Pakistan, of course, had it own sources of information as to what was going on in Srinagar and what the Maharaja and his advisers might be planning. There were numerous sympathisers with

the Muslim League who were able to communicate both with Pakistan and with the rebel areas in Poonch: the efficiency of the Maharaja's police left a great deal to be desired and the long border between the State and Pakistan was impossible to seal completely. One of M.A.Jinnah's Private Secretaries, K.H. Khurshid, who had been born in Gilgit and in his youth had been active in Muslim Kashmiri student politics, went up to Srinagar about the time of the Transfer of Power and remained there until he was arrested on the orders of V.P. Menon on 2 November 1947 and deported to Pakistan.[20]

It must have seemed highly probable to such observers, particularly once negotiations between the Maharaja's Government and Sheikh Abdullah had begun in September, and become a virtual certainty after the decision to offer the post of Prime Minister to Mahajan became known (as it surely did before the beginning of October), that the Maharaja was about to accede to India. There could be no question where Mahajan, a former Indian member of the Radcliffe Punjab Boundary Commission, stood with respect to New Delhi. Sheikh Abdullah, now seen by many to be the rising star in State politics, was a trifle more enigmatic. His pronouncements after his release, however, were nothing if not outspoken in their hostility both to Pakistan and to the supporters of the Muslim

Conference; and it was no secret that when Sheikh Abdullah briefly visited New Delhi on 14 October or thereabouts, he stayed with his old friend Jawaharlal Nehru at his residence where, it must have been assumed, the question of accession was at least discussed. It looked as if only the Maharaja's indecisiveness and self delusion, those fatal flaws in his character, had prevented him from already acceding to India: he still hoped that somehow he might yet realise his dream, shared with Sheikh Abdullah who did not have much else in common with Sir Hari Singh, of turning the State of Jammu and Kashmir into an independent and neutral state, the "Switzerland of the East".

An Indian State of Jammu and Kashmir, particularly after the outbreak of fighting in Poonch, was something which many "Pakistanis found it impossible to accept for immediate practical reasons over and above those underlying considerations arising from the theory of Partition. If India came to the Maharaja's assistance now, then Indian troops would soon be trying to suppress the Poonch rebels on the other bank of the Jhelum opposite the eastern border of the Pakistani West Punjab. What consequences might such conflict have for the future of Pakistan? Might not the war overflow from Poonch into Pakistan itself; and, worst of all, might not this lead to an Indian attempt to

terminate the very concept of a Two Nation subcontinent? It was not unreasonable, in these circumstances, if some individuals both in Pakistan and in Poonch started to take matters into their own hands

Khurshid Anwar, one of the resistance commanders in Poonch, had been in touch with various tribal leaders in the North-West Frontier since at least the middle of September as part of his quest for arms supplies; and, Akbar Khan has suggested in his memoirs, from these transactions emerged the idea of actually recruiting tribesmen to fight alongside the Poonch forces. Given the warlike traditions of the Frontier, it was not surprising that more experienced Pakistani soldiers and politicians who were aware of what was brewing were seriously alarmed. Pathans were superb fighters. They were, however, far from being the most disciplined of men, even on their own turf; and to let them loose on remoter battle fields was to guarantee trouble. Unfortunately, it appeared that, having once scented a fight from their preliminary encounters with Khurshid Anwar and his lieutenants and having already been aroused by reports of the slaughter of Muslims that had been taking place in the Punjab, they could not be restrained. Officials of the North-West Frontier Province, with, apparently, the benevolent acquiescence of the Chief Minister Khan Abdul Qayyum Khan (himself with Kashmiri associations), did nothing to prevent lorry and bus loads of these

tribesmen from making their way to the Poonch front.[21]

It is not clear exactly when the Pathan tribal involvement began, It may well have started in a modest way in the middle of September (or even earlier): by then rumours of something of this kind had reached the Maharaja, so Mehr Chand Mahajan recorded. The main tribal forces, however, probably began to arrive during the first week of October when their presence was noted by State forces in Poonch and adjacent Mirpur.[82] Nor is it certain how many Pathan tribesmen actually took part in this adventure. Probably no more than 3,000, perhaps less, though some Indian sources have suggested an absurdly large number, 70,000 or so. Also obscure were the tactical, let alone strategic, objectives behind the whole operation,[23] It may be that when it started nobody in the divided command in Poonch had any specific ideas beyond a general welcoming of reinforcements.

By 21 October 1947, however, some kind of plan must have been formulated which involved a dash from the State border in the Muzaffarabad region to Srinagar to forestall the expected Indian occupation of the Vale of Kashmir as soon as the Maharaja had acceded, a step which had by now seemed inevitable to all Pakistani observers and their allies in Poonch. It is likely, moreover, that the arrival of the Patiala troops in

Jammu and Srinagar, which surely was observed by Poonch sympathisers, added greatly to the sense of urgency already created by reports of various Indian preparations for military intervention in support of the Maharaja. Moreover, the telegram which the Jammu and Kashmir Government sent to Liaquat Ali Khan on 18 October (quoted above), raising the possibility of the Maharaja's quest for 'friendly assistance', looked very much like an ultimatum which was shortly about to expire.[24]

The plan (which may well be comprehended within what Indian Intelligence officers were to refer to as "Operation Gulmarg") became evident on the night of 21/22 October 1947 in the Domel-Muzaffarabad area of the Kashmir-Punjab border. This sector, containing the key road crossing over the Jhelum at Domel, was guarded by 4th Jammu and Kashmir infantry Battalion under Lt. Col. Narain Singh, who had orders to blow the bridge in the event of an emergency. About half the State garrison strength, including the commander and most of the officers, consisted of Dogra Hindus from Jammu, while the other half was made up of Muslims from Poonch. The Poonchmen had been in contact with their fellow Muslims among the rebels and had decided not only to join them but also to dispose of the Dogra portion of the guard at Domel and thus clear the mam road to Srinagar. In the small hours of 22

October 1947 they acted, taking the Dogras by surprise and killing the majority of them including the Colonel.[17] However brutal this episode, there is no denying that it represented an internal *coup* of some kind within the State of Jammu and Kashmir, and was an act of rebellion against the Maharaja by some of his Muslim subjects rather than any external "aggression".

The road to Srinagar was now open. The summer capital of the State of Jammu and Kashmir and the heart of the major prize, the Vale of Kashmir, was a little over 100 miles away. Had the Poonch rebels possessed even one squadron of armoured cars they could have been in Srinagar by the evening of 22 October and have taken control of the vital airfield there; and the Kashmir dispute, if not ended, might have been altered dramatically. Without Srinagar airfield conventional wisdom then considered that it would have been virtually impossible for the Indians to intervene on behalf of the Maharaja (at least outside Jammu) for a very long while. The significance of all this had been appreciated by Akbar Khan; but he was not in command at Domel on 22 October, and the Poonch rebels had no armoured cars. Instead, they had bands (the precise number of men involved is still unclear but, we have already suggested, was unlikely to have exceeded 3000 of Pathan tribesmen in civilian buses and lorries, many of which were of dubious mechanical

reliability. It may well be that the fact that the Pathans came with their own transport was a major consideration behind the decision to employ them on this operation. In the event, the Pathan involvement was to have the most unfortunate consequences for the cause of the Poonch rebels. Lack of discipline, combined with a tribal love of plunder and indiscriminate rapine, not only caused crucial delays but also created a most unfortunate public relations image.[18] The result was to shift the balance of advantage from the Pakistani to the Indian side of the equation.

The Government of Jammu and Kashmir had a fairly clear idea of what had happened by the next day, 23 October; and on 24 October the Deputy Prime Minister, R.L. Batra, was sent off to New Delhi to ask Jawaharlal Nehru and Sardar Vallabh bhai Patel for Indian help in the form of men, arms and ammunition. He carried with him an offer of accession to India by the Maharaja,[19] but almost certainly did not show it to the Indian leaders: the Maharaja's hope, even at this late stage," was that Indian assistance might be forthcoming without any surrender of independence by accession to India.

On the same day the Poonch rebels formally declared their independence from the Maharaja as the State of Azad (Free) Kashmir (with a Government which included Mirwaiz Muhammad Yusuf Shah as Minister of

Education and was headed by Muhammad Ibrahim Khan as President); and the invaders, who now might properly be called the Azad Kashmir Army, reached the Mahura power station a scant thirty miles from Srinagar (with dramatic, and obvious, effects upon the electricity supply in that city).

Batra's news was received by Jawaharlal Nehru, Sardar Vallabh bhai Patel and other Indian leaders on the evening of 24 October (and they most probably had been made aware of some features of the situation the previous day); but it was not formally communicated to the Indian Defense Committee, on which sat Mountbatten and other British service chiefs, until the following morning,[20] In the Defense Committee it then was decided that V.P. Menon should fly up to Srinagar , to investigate, which he did, At the same time, Sheikh Abdullah took the flight from Srinagar to Delhi where he again put up with his old friend Jawaharlal Nehru.

At dawn on 26 October, Menon accompanied by Mahajan flew back to Delhi, while the Maharaja and his household a few hours earlier abandoned Srinagar for Jammu. In Delhi, Menon and Mahajan drove to Nehru's residence where they found not only Sardar Vallabh bhai Patel but also Sheikh Abdullah. Mahajan begged for help, but, it would seem, without promising accession, and certainly without committing the State to

constitutional reform. Nehru showed reluctance: it was not so easy, he said, to move troops at short notice. Mahajan then gave way. In return for military assistance he agreed to accept a Sheikh Abdullah administration. Indian troops, however, had to sent in at once or he would go to Lahore to see what terms he could get from Pakistan.[29] With the support of Sheikh Abdullah, Nehru and Patel persuaded Mahajan that a visit to Lahore was not really necessary. After a few hours, while he rested at the house of Defense Minister Baldev Singh, Mahajan was told that the decision had been taken to intervene on the terms proposed. On the next day, 27 October, so Mahajan related, he and Menon flew up to Jammu to obtain the Maharaja's signature on what he referred to as certain supplementary documents about the accession.

Menon, on the other hand, reported that he and Mahajan went to Jammu on the afternoon of 26 October when they saw the Maharaja and obtained from him the signed Instrument of Accession.[30] It is, of course, possible that Menon went up to Kashmir on 26 October for some reason unstated, and then again on 27 October with Mahajan to get signed the final version of the Maharaja's letter to Mountbatten which outlined the conditions under which accession was offered (and dated in its published version 26 October), as well, perhaps, as the Instrument of Accession itself (which

was also dated 26 October in its published version); but this seems unlikely, and Menon makes no mention of it in his narrative. All accounts, however, agree that in the early morning of 27 October an airlift of Indian troops to Srinagar began, just in time to hold the airfield and, in the process, to give the Kashmir dispute a form which it has retained ever since.[23] Within a few days at least 35,000 Indian regular troops were involved in the defense of the Vale of Kashmir.

If Mahajan's account of his travels is true, and he was quite emphatic that he refused to return to the State until Srinagar airfield was firmly in Indian hands (reflecting both the Maharaja's determination that Indian assistance should physically arrive before he finally committed himself to handing power to Sheikh Abdullah and, one must presume, Mahajan's personal reluctance to run the slightest risk of falling into the hands of Pathans), then it would appear that the Indian intervention actually took place *before* the formalities of Accession had been completed.[24]

What was the part played by Mountbatten in all this? By the time that Mountbatten was formally drawn into the story, which would seem to be the meeting of the Defense Committee on 25 October, negotiations quite outside his own circle had already started between Nehru, Patel, and, possibly, Baldev Singh, and various Kashmiri politicians, first Batra, who

arrived on 24 October, then Sheikh Abdullah on 25 October, and, finally, Mahajan, who turned up on the following day. The result was the decision made on the morning of 26 October to offer Indian military assistance in return not only for accession but also for the agreement (crucial in the eyes of Jawaharlal Nehru) that the Maharaja would entrust to Sheikh Abdullah the task of forming an Emergency Government under the Prime Ministership of Mahajan.[25]

If we accept the chronology indicated by Mahajan rather than V.P. Menon, then it rather looks as if the Maharaja's original formal (as opposed to the various covert arrangements) request for Indian military aid, advanced on his behalf by Batra on 24 October but not accepted by the Indian side, made no reference to Sheikh Abdullah being given office, an idea which the Maharaja found extremely distasteful; and it is probable, moreover, that accession was not offered at this stage. The Sheikh Abdullah feature, discussed by Nehru with Sheikh Abdullah himself on 25 October, was surely finalised at the meeting at Nehru's house on the 26 October already described.

A draft letter would have then been prepared for the Maharaja's signature, that letter published as having originated from him on 26 October though, in fact, it was only brought to him in Jammu on the following day along with Mountbatten's acceptance of

its terms.[34] This charade, of course, of which Mountbatten must have been aware (unless he had been shown a fraudulently signed letter from the Maharaja, and, perhaps, Menon had lied to him about a journey to Kashmir with Mahajan on 26 October), would have required a measure of falsification of the record both as to chronology and as to the origination of the proposals. Such manipulations of documentation were not unknown in the British Government of India's conduct of political matters. The actual Instrument of Accession (which made no mention of the crucial Sheikh Abdullah element and was, therefore, in the context of the moment just a formality) was, in fact, no more than a printed form, not unlike an application for a driving licence, with blank spaces left for the name of the State, the signature of the Maharaja and the date; and it also contained a printed form of acceptance which required dating and signature by Mountbatten as Governor-General. It would have presented no great difficulties to arrange for Mahajan to carry back to Jammu with him on 27 October such a form, to be pre-dated 26 October, with the Governor-General's acceptance already signed and dated 27 October, for the Maharaja to sign at a moment convenient to him.

Mountbatten's major contribution to the Maharaja's accession may well have been to inject formally into the proceedings the requirement for some

kind of plebiscite, and to persuade Jawaharlal Nehru of its desirability. As he put it in a letter (dated 27 October 1947) which accompanied his formal acceptance as Governor-General of India of the Maharaja's accession:

> Consistently with their policy that in the case of any State where the issue of accession has been the subject of dispute, the question of accession should be decided in accordance with the wishes of the people of the State, it is my Government's wish that as soon as law and order have been restored in Kashmir and her soil cleared of the invader the question of the State's accession should be settled by a reference to the people.[36]

What did the expression "reference to the people" mean? To Mountbatten it must have indicated something along the lines of the plebiscite which had so recently been under discussion in connection with Junagadh (not to mention that actually carried out in the Frontier Province prior to the Transfer of Power).[37] Did Jawaharlal Nehru and Sardar Vallabh bhai Patel see it this way? Jawaharlal Nehru, at least, considered the possibility of alternative interpretations. Would, for example, the establishment of a Sheikh Abdullah government, which he personally favoured

because he was convinced that it would enjoy majority popular support in the State of Jammu and Kashmir (despite the fact that Sheikh Abdullah's National Conference had not taken part in the January 1947 elections in the State), suffice as a "reference"? Mahajan indicates that Jawaharlal Nehru had explored something like this line of reasoning.[38] When, in his broadcast on All India Radio of 2 November 1947, Nehru confirmed that "we have declared that the fate of Kashmir is ultimately to be decided by the people", that "that pledge we have given", which "we will not, and cannot back out of, and that "we are prepared when peace and law and order have been established to have a referendum held under international auspices like the United Nations", he may still have had at the back of his mind the established political processes of the State of Jammu and Kashmir and their exploitation by Sheikh Abdullah.[39] Sardar Vallabh bhai Patel may well have been rather less enthusiastic about the merits of a Sheikh Abdullah administration; and he may well have preferred an unqualified accession by the Maharaja to India. This was a matter, however, in which Nehru had the final say.

Thus it might turn out that the "plebiscite", even with a United Nations presence, would be held under the existing electoral laws of the State of Jammu and Kashmir. The United States Department of State, in a

position paper on the Kashmir question prepared for the United States Delegation to the General Assembly of the United Nations on 2 December 1947, anticipated just such a possibility. It noted that:

> The Dominion of India may attempt to establish the extant electoral rolls as the basis for the referendum. As these rolls are said to contain less than 7% of the population and were compiled on a basis which served to weight the members of the wealthier educated Hindu minority who would obviously vote for accession to India, it is important that the electoral body should in fact be composed on a basis of complete adult suffrage in order that the result of the referendum may be representative of the actual wishes of the people of Kashmir.[40]

In a very real sense the provision for a "reference to the people" made rather a nonsense of the acceptance of the Maharaja's accession. It more than implied that the accession was conditional and could, in certain circumstances, be reversed. If so, did India have the right to act upon it until it had been confirmed? Could it not, really, be said to be nothing more than another kind of Standstill Agreement? Against this could be argued the crisis of the tribal attack which clearly

called for strong measures. But could not India have lent its neighbour, the State of Jammu and Kashmir, at this moment in most respects an independent State, help in its hour of need without the necessity for prior accession?[41] There were other ways to meet the crisis without accession, the most obvious being some kind of joint Indo-Pakistani action: this was never explored.

The evidence is clear that accession meant different things to different people. Sardar Vallabh bhai Patel wanted accession because he wished to ensure that the State of Jammu and Kashmir became part of India beyond all doubt, not least to guarantee the security of the Northern Frontier, Nehru saw accession as a means to challenge the Two Nation theory by creating a secular state within the Indian Union out of a Muslim-majority region through the efforts of Sheikh Abdullah. Be that as it may, one possible interpretation of the events since 22 October which have been outlined above was that these two men, even if their motives differed in detail, were playing game of brinkmanship to create the best possible circumstances for both accession and Indian military domination of the situation. Without these, there was always the possibility that, despite Jawaharlal Nehru's admiration for the qualities of Sheikh Abdullah, the whole State (apart, perhaps for parts of Jammu and Ladakh) would gradually fall into the hands of the rebel movement established in Poonch;

and one day it would all become accepted internationally as part of the State of Azad Kashmir (which had been formally declared on 24 October 1947, as we have seen). Without the facade of legitimacy given by accession, moreover, it might have been difficult to persuade those British officers who still dominated the topmost echelons of the armed services of both India and Pakistan as to the propriety of the proceedings; and British acquiescence at least still appeared to be militarily essential.

British opinion, that of Mountbatten, of the senior military officers, and of the British Government, was inextricably involved in every facet of the opening phase of the Kashmir dispute. There is strong evidence that at the very end, with the tribal attack in progress, Mountbatten lost what detachment he may have had and came to look upon M.A. Jinnah and Pakistan as the enemy,[42] There were two good reasons for this.

First: the introduction of Pathan tribesmen, for which Mountbatten had been persuaded M.A. Jinnah was personally responsible, into what in British terms would have been an internal Indian matter could only be considered by those steeped in British strategic ideas as an act of criminal folly. British policy for more than a century had been directed towards keeping Pathan war parties out of British administered territory. Mountbatten's chief British advisers, like Sir George Abell

and Lord Ismay, would without doubt have emphasised this aspect of the situation. It was something with which Mountbatten was certainly not going to associate himself.

Second; the tribal attack involved the possibility, which had largely been absent hitherto in all the appalling violence which accompanied Partition, of the massacre of Europeans.[43] It is a depressing reflection on the nature of the British media that such a killing of a small number of Europeans would have attracted infinitely greater notice in the United Kingdom than the slaughter of the hundreds of thousands of Muslims, Hindus and Sikhs which had already resulted directly or indirectly from Partition. It would have been a serious blemish on the record of the Mountbatten Viceroyalty and Governor-General ship, to say the least. Thus Mountbatten was predisposed to go along with what were Jawaharlal Nehru's and Sardar Vallabh bhai Patel's favoured solutions to the Kashmir problem.

Similar considerations certainly inspired the senior British officers in the service of both India and Pakistan. When, late on 27 October 1947, M.A. Jinnah instructed Pakistani troops to go into the State of Jammu and Kashmir to try and restore order, he was frustrated by the acting Commander-in-Chief of the Pakistan Army, Lt. General Sir Douglas Gracey. It is quite possible that in other circumstances, and without the tribal involvement,

Gracey might have turned a blind eye. By the same token, it would seem that British commanders on the Indian side adopted a Nelsonian approach to Indian preparations for intervention in Kashmir.

There were surely contingency plans somewhere in the Indian army for just such an eventuality. Unlike the Army of Pakistan, which was a new creation still in the early stages of formation the Indian Army was essentially the old, Indian Army of the British period; and it did not lack for able, experienced and senior Indian staff officers. It was obvious that operations in the State of Jammu and Kashmir presented grave logistical problems, particularly in winter; and air supply would be crucial. The Sardar Vallabh bhai Patel correspondence, to which reference has already been made, leaves us in no doubt whatsoever that there he and some of his close associates had been involved in military planning about Kashmir for more than a month before the events of the night of 21/22 October. When intervention was officially decided on 26 October 1947, a massive air lift was immediately organised to fly two infantry battalions into Srinagar the following day. Over 100 Dakota transport aircraft were assembled at various airfields around Delhi.

It has always been argued both by Indian apologists and by British officials that this was the result of a triumph of improvisation.[44] The provision of air support on this scale, however, so common sense would suggest, took

more than twenty-four hours to arrange; and was the result of considerable staff work which could hardly have escaped the notice of some senior British officers. If so, most of them certainly chose to keep their eyes and mouths closed. While Lt.-General Sir Frank Messervy (Commander-in-Chief of the Pakistan Army from August 1947 to February 1948, but away from his post at this crucial juncture with Lt.-General Sir Douglas Gracey acting for him) subsequently expressed his conviction that this airlift had to have been the product of much planning which had been started weeks before the event, the three British commanders of the Indian services, Lt.-General Sir Rob Lockhart, Air Marshal Sir Thomas Elmhirst, and Rear Admiral J.T.S. Hall, took the somewhat unorthodox step of issuing a joint declaration of ignorance as to what was going on prior to 24 October 1947, and a joint denial of involvement in any planning before 25 October. They did not, however, state that *nothing* had gone on: nor were they in a position to confirm that there had been *no* planning by anyone else.[45]

Notes:

1. Sir Claude Auchinleck was Supreme Commander with notional authority over the armies of both India and Pakistan, which were headed by British Commanders-in-Chief, Sir Rob Lockhart for India (until 31 December 1947, when he was replaced

by Sir F.R.R. Bucher) and Sir Frank Messervy for Pakistan (until 15 February 1948, when he was replaced by Sir Douglas Gracey).The Supreme Command was formally closed down on 30 November 1947 at the instigation of India on the grounds that the office could not be reconciled with the patent lack of goodwill, to which Kashmir had contributed, between the two Dominions.

2. Sardar Vallabh bhai Patel was Deputy Prime Minister as well as having responsibility for the integration into India of the States. He had been Nehru's closest rival for the Premiership. As early as 3 July 1947 Vallabh bhai Patel had been writing privately to the Maharajah to urge his accession to India "without delay".

3. See: Sardar M. Ibrahim Khan, *The Kashmir Saga,* Lahore 1965.

4. See: Ex. Major-General Akbar Khan, D.S.O, *Raiders in Kashmir. Story of the Kashmir War (1947-48),* Karachi 1970, p. 17.

5. M,Y. Saraf gives 12 September as the date of this meeting. See: Muhammad Yusuf Saraf, *Kashmiris Fight - For Freedom, Vol.* II, Lahore 1979, p. 859.

6. Khurshid Anwar was a Punjabi by birth. He had attained the rank of Major in the Indian Army before retiring. His wife, Mumtaz Jamal, was Kashmiri through her father and Pathan through her mother. Khurshid Anwar knew the North-West Frontier Province well: he had been active there on behalf of the Muslim League during the Referendum which was part of the Partition process devised by Mountbatten. Khurshid Anwar was seriously wounded during the Kashmir fighting. He died in 1950.

7. So Mountbatten reported on 7 November 1947,according to Wolpert. See: S.Wolpert, *Jinnah of Pakistan,* New York 1984, p. 348.

8. See: M.C. Mahajan, *Looking Back,* London 1963, p. 269.

9. Government of India, *White Paper on Jammu and Kashmir,* New Delhi 1948, Part I No. 14.

10. It could be argued, of course, that this was the earliest that accession could take place, Pakistan having only formally come into existence the day before.

11. See: H.V. Hodson, *The Great Divide. Britain - India - Pakistan,* London 1969,Chapter 24.

12. According to the 1941 Census the population of Junagadh was 670,719, of which80% were Hindus. The registered Junagadh electorate in 1948 was 201,457, of whom 190,870 voted in the plebiscite. There were only 91 votes in favour of accession to Pakistan. See: Menon, *Indian States, op. cit.,* p. 149.

13. See: Durga Das, ed., *Sardar Patel's Correspondence, 1945-50,* 10 vols., Ahmedabad 1971-74. Vol.*I,-New Light on Kashmir,* which appeared in 1971, contains a great deal of interesting material on the genesis of the Kashmir dispute and India's involvement therein. This letter from Nehru to Patel of 27 September 1947 is an extremely important item of evidence that the Indian Government was already aware that the problem of Kashmir might well produce Indo-Pakistani conflict and lead to direct Indian military intervention. It disprove:; convincingly any argument that India was taken by surprise by the events of 22 October 1947.

14. Ghulam Abbas and other Muslim Conference leaders in detention were eventually released by Sheikh Abdullah in late 1947 or early 1948 and allowed to cross over to Azad Kashmir or Pakistan.

15. The Patel correspondence rather suggests the existence of a small group including, apart from Sardar Vallabh bhai Patel, R.L. Batra (acting on behalf of Maharaja Sir Hari Singh), Baldev Singh (the Indian Defense Minister), R.A. Kidwai (Indian Minister for Communications), and perhaps the Maharaja of Patiala as well as V.P.Menon, which during September and October 1947 was planning for the unconditional (that is to say, without the requirement of confirmation by plebiscite) accession of the Maharaja of Jammu and Kashmir to India. It would seem that Jawaharlal Nehru was not a member. In many respects, it should be remembered, Jawaharlal Nehru and Sardar Vallabh bhai Patel were political rivals.

16. All this, of course, was long before 22 October, the official date for the beginning of the "tribal invasion" from Pakistan of the Vale of Kashmir.

17. This episode is discussed in: M.Y. Saraf, *Kashmiris Fight for Freedom,* Vol. II, Lahore 1979, p.909. The story is confirmed by Indian sources both published and unpublished. See, for example: Lt. General L.P. Sen, *Slender was the Thread. Kashmir Confrontation 1947-48,* New Delhi 1969, p. 64; Major-General O.K. Palit,

jammu *and Kashmir Arms. History of the J & K Rifles,* Dehra Dun 1972, p. 197.

18. See: Karan Singh, *Heir Apparent, op. tit.,* p. 59.

19. It may be that at this early stage in the history of the integration of the States into the Indian Union there existed some ambiguity as to whom the armed forces of any one State were immediately responsible. However, it was quite clear that by Accession the States had assigned ultimate control over matters relating to defense to the Union Government. Moreover, the use of such forces beyond the territorial limits of the Union surely involved the External Affairs of the Union, yet another of the three major powers transferred from State to Union by the Instrument of Accession (the third being Communications).

20. K.H. Khurshid, who was to be President of Azad Kashmir from 1959 to 1962, diedin 1988.

21. Khan Abdul Qayyum Khan certainly made no secret of his sympathy for Muslim cause in Kashmir. He talked freely about it to American journalists. There was also very little secrecy about the procuring of locally made rifles on the Frontier for use in Kashmir. News Of all this through unofficial sources had even reached

K.P.S. Menon, the Indian Ambassador in China, in Nanking by 10 November 1947.See: K.P.S. Menon, *Twilight in China,* Bombay 1972, p. 227.

22. Bands of tribesmen were referred to as *lashkars.*

23. Some contemporary observers writing from the Indian point of view thought that the total number of tribesman involved in the operation which began on 21/22October 1947 was no more than 2,000. See, for example: Mohinder Bahl, *Whither Kashmir,* New Delhi n.d., p. 41. Wolpert, who is disposed to accept the Indian version of the story, gives 5,000: and this figure must represent the extreme upper end of those estimates worthy of serious consideration. See: Wolpert, *Jinnah, op.cit.,*p. 348.

24. One may speculate whether there was some connection between the arrival of the Patiala men and the telegram of 18 October 1947, which shows a firmness hitherto lacking in communications from Srinagar to Lahore.

25. There were fascinating echoes here of the opening stages of the Indian Mutiny of 1857. The Colonel had advance warning that something was afoot, and was advised to disarm his Muslim troops. He

refused to believe that they could contemplate any disloyalty and, therefore, took no action.

26. The havoc wrecked upon the unfortunate population of the Vale of Kashmir by the Pathan "aggressors" has become part of the folk-lore of the Kashmir dispute; and it is constantly raised by the Indian side as justification for their own intervention. Quite what damage the Pathans in fact did has never been analysed objectively. Parties of tribesmen certainly looted the bazaar in Muzaffarabad; where there were many Hindu and Sikh shopkeepers at this period. They also attacked Christian premises, notably in Baramula, as might be expected from warriors engaged on what they saw as a *jihad,* a holy war, What else they did is far from clear; and any incidental savagery by these men would fall into insignificance when compared to what had taken place both in the Punjab and in Jammu at the time of Partition (with as many as 16,000,000 refugees and 500,000 killed through communal violence). There can be no doubt that for those in the way, Pathans on the warpath are bad news. There is no evidence, however, for the argument that what took place in the Vale of Kashmir immediately after 22 October 1947 marked one of the great atrocities of the modern history of

the subcontinent. The significance of the Pathan atrocities is to be found less in their alleged magnitude than in the great publicity given to them at the time an4 ever since.

The Indian 1948 *White Paper* concentrates on the horrors of the attack on Baramula, on the road a few miles to the west of Srinagar. Other atrocity stories reported in the *White Paper* in fact relate to later in the war and other sectors; and they have no bearing upon the nature of the initial tribal advance towards Srinagar from Domel. Even in Baramula, according to the *White Paper,* accounts of what happened vary. One source claims that 3,000 inhabitants were killed, many of them Hindus (which may mean no more than that there were a significant number of casualties - estimates of this kind are notoriously unreliable). An American journalist, Robert Trumbull, reporting for the *New York Times* from Baramula on 10 November .1947, two weeks after the attack, reported that "only 1,000 were left of a normal population of about 14,000". This has been interpreted by Indian writers to mean that up to 13,000 people were killed in Baramula. See, for example: S. Gupta, *Kashmir, op. cit.,* p. 111. In fact, of course, it meant no more than that the majority of the town's people had gone away, as one would expect in the

circumstances. If one applied the refugee/killed ratio of Partition to Trumbull's Baramula statistics, one would come up with somewhere in the order of 400 killed, a not unreasonable figure in the light of other sources.

Two facts should be remembered when considering any account of the tribal Operation of October 1947. First: the Indian side Committed its share of atrocities in the process of repelling the "invaders". This is well enough documented; but it is rarely mentioned in the literature of the Kashmir dispute. Second: the Kashmiri casualties suffered in 1947 were certainly far less than those which have been inflicted upon the inhabitants of the Vale of Kashmir by the Indian security forces since 1989.

27. So states Mahajan, *op. cit.,* p. 150.

28. Nehru, however, mentioned to Mountbatten, almost in passing at a buffet dinner held in honour of the Siamese Foreign Minister on the evening of 24October, that "tribesmen were being taken in military transport up the Rawalpindi road" towards Srinagar. See: Alan Campbell-Johnson, *Mission with Mountbatten,* revised ed., London 1985, p. 244.

The Indian Cabinet had established a Defense Committee on 30 September 1947 It consisted of both Indian and British members. The Indians were the Prime Minister, Jawaharlal Nehru, the Deputy Prime Minister, Sardar Vallabh bhai Patel, the Defense Minister, Sardar Baldev Singh, the Minister of Finance and a Minister without Portfolio, Sir Gopalaswami Ayyengar (or, sometimes, lyengar). The British side consisted of the Governor-General, Lord Mountbatten, and the three British Commanders-in-Chief. At this stage Mountbatten took the chair.

The presence of Ayyengar is interesting. He had been Prime Minister of Jammu and Kashmir in 1936-43 and Had the reputation of being a hard man. It has been suggested that his presence in the Cabinet, which he joined at the very end of September 1947, was directly related to the Kashmir problem. It may be significant that Nehru regarded Ayyengar as the one former Prime Minister of Jammu and Kashmir then in circulation who had enjoyed a tolerable Working relationship with Sheikh Abdullah. (See: TP, XI, No. 229). Was this why he was brought into the Cabinet? If so, does this indicate the policy of the Cabinet towards the

State of Jammu and Kashmir at that date, which was several weeks before the "aggression" of the tribal attack on 21/22 October 1947? Of course, the Defense Committee was also set up about this time, which It designed with the Kashmir situation specifically in mind? There were no other obvious defense problems on the Indian horizon at that moment. In early 1948 Ayyengar took over the Defense portfolio in the Indian Cabinet.

29. Or so Mahajan reported. See! Mahajan, *op. cit.,* pp.151-2.

30. See: Menon, *Indian States, op. cit.,* p. 399.

31. There are many accounts of the military crisis of late October 1947. Of greatinterest are: Major-General D.K. Palit, *Jammu and Kashmir Arms. History of the J &K Rifles,* Dehra Dun 1972; Lt. General L.P. Sen, *Slender was the Thread. Kashmir Confrontations 1947-48,* New Delhi 1969.

The first Indian unit to arrive at Srinagar airfield was 1/11th Sikhs. Its orders for the operation were issued at 1300 hours on 26 October 1947. See: Birdwood, *Kashmir, op. cit.,* p. 58n.

The airlift was superintended by General Sir Dudley Russell.

32. Mahajan's account makes it clear that when he reached Jammu the airfield in Srinagar was firmly in Indian hands. Mahajan had refused to leave New Delhi for Jammu until "I got news from my aerodrome officer at Srinagar that the Indian forces had landed there". See: Mahajan, *op. cit.,* pp. 152-3.

33. Sheikh Abdullah became head of the Jammu and Kashmir Emergency Government on 29 October (with the title Chief Emergency Administrator), with Bakshi Ghulam Muhammad as his Deputy and Mirza Afzal Beg as a Minister. This Emergency Government, however, continued to operate under the general supervision of the Prime Minister (or Dewan), who until March 1948 remained Mehr Chand Mahajan. On 5 March 1948 Sheikh Abdullah was appointed Prime Minister as head of an Interim Government of the State of Jammu and Kashmir; and Mahajan retired. This system of "dyarchy" was drawn up in consultation with Sir Gopalaswami Ayyengar, Minister without Portfolio in the Indian Cabinet. It may well be that Ayyengar's main function was to keep an eye on

constitutional problems arising from the new dispensation in Jammu and Kashmir.

34. Whatever document Batra brought with him on 24 October would have been quite unsuitable as an acceptance by the Maharaja of the terms now under discussion.

35. It is interesting that the editor of Patels's correspondence should have decided to reproduce the final part of this printed document as the frontispiece to the first volume. See: Patel, *Correspondence, op. cit..*Vol. 1.

36. Printed, for example, in: P.L. Lakhanpal, *Essential `Document and Notes on Kashmir Dispute,* New Delhi 1965, p. 57.

37 The North-West Frontier Province possessed a pro-Congress Ministry. A referendum was accordingly held (6 to 17 July 1947) to decide (on the basis of a surprisingly small vote) that the Province should join Pakistan.

38. Mahajan, *op. cit.,* p. 282.

39. See: 1948 *White Paper, op. cit.,* Pt. IV, No. 8.

40. United States, Department of State, *Foreign Relations of the United States 1947. Volume II IThe*

British Commonwealth; Europe, Washington, D.C., 1972, p. 183.

41. This point is raised to good effect in: J. Korbel, *Danger in Kashmir,* Princeton 1966,pp. 79-80.

42. See, for example, Ian Stephens' account of dinner with the Mountbattens on 26 October 1947 in: I. Stephens, *Pakistan,* London 1967, p. 203. His narrative differs significantly from that presented by Campbell-Johnson.

43. According to Campbell-Johnson, Mountbatten told Jan Stephens at the dinner already referred to that a large-scale massacre, including some two hundred Europeans living in Srinagar, by tribesmen could not be avoided without Indian military intervention. Campbell-Johnson, *op. cit.,* p, 225. At this moment, 26 October, news of the massacre at St. Joseph's Franciscan convent at Baramula, which cost the lives of many innocents including several nuns and Colonel and Mrs. Dykes, had probably not yet reached New Delhi.

44. It has been said that there were a large number of civil aircraft available as part of a project to fly Muslim refugees from India to Pakistan. This was what General Russell told Lord Birdwood. See: Birdwood, *Kashmir, op. cit.,* p. 59. Of course, if

some element in the Indian (as opposed to British) military establishment were preparing for this kind of situation, the proposed airlifting of refugees would provide an admirable cover for the assembly of aircraft.

45. Korbel, *op, cit,,* pp. 85-87.

Pandit Nehru's Pledges to the people of Kashmir and to the world.

"We Have Declared That The fate of Kashmir is Ultimately to Decided by the People of Kashmir" (Pandit Jawahar Lal Nehru)

1. In his telegram to the Prime Minister of Pakistan, the Indian Prime Minister Pandit Jawaharlal Nehru said, "I should like to make it clear that the question of aiding Kashmir in this emergency is not designed in any way to influence the state to accede to India. Our view which we have repeatedly made public is that the question of accession in any disputed territory or state must be decided in accordance with wishes of people and we adhere to this view." (Telegram 402 Primin-2227 dated 27th October, 1947 to PM of Pakistan repeating telegram addressed to PM of UK).

2. In other telegram to the PM of Pakistan, Pandit Nehru said, "Kashmir's accession to India was accepted by us at the request of the Maharaja's government and the most numerously representative popular organization in the state which is predominantly Muslim. Even then it was accepted on condition that as soon as law and order

had been restored, the people of Kashmir would decide the question of accession. It is open to them to accede to either Dominion then." (Telegram No. 255 dated 31 October, 1947).

Accession issue:

3. In his broadcast to the nation over All India Radio on 2nd November, 1947, Pandit Nehru said, "We are anxious not to finalise anything in a moment of crisis and without the fullest opportunity to be given to the people of Kashmir to have their say. It is for them ultimately to decide — And let me make it clear that it has been our policy that where there is a dispute about the accession of a state to either Dominion, the accession must be made by the people of that state. It is in accordance with this policy that we have added a proviso to the Instrument of Accession of Kashmir."

4. In another broadcast to the nation on 3rd November, 1947, Pandit Nehru said, "We have declared that the fate of Kashmir is ultimately to be decided by the people. That pledge we have given not only to the people of Kashmir and to the world. We will not and cannot back out of it

5. In his letter no 368 Primin dated 21 November, 1947 addressed to the PM of Pakistan, Pandit Nehru said, "I have repeatedly stated that as soon as peace and order

have been established, Kashmir should decide of accession by Plebiscite or referendum under international auspices such as those of United Nations."

U.N. Supervision

6. In his statement in the Indian Constituent Assembly on 25th November, 1947, Pandit Nehru said, "In order to establish our bona fide, we have suggested that when the people are given the chance to decide their future, this should be done under the supervision of an impartial tribunal such as the United Nations Organisation. The issue in Kashmir is whether violence and naked force should decide the future or the will of the people."

7. In his statement in the Indian Constituent Assembly on 5th March, 1948, Pandit Nehru said, "Even at the moment of accession, we went out of our way to make a unilateral declaration that we would abide by the will of the people of Kashmir as declared in a plebiscite or referendum. We insisted further that the Government of Kashmir must immediately become a popular government. We have adhered to that position throughout and we are prepared to have a Plebiscite with every protection of fair voting and to abide by the decision of the people of Kashmir."

Referendum or plebiscite

8. In his press-conference in London on 16th January, 1951, as reported by the daily 'Statesman' on 18th January, 1951, Pandit Nehru stated, "India has repeatedly offered to work with the United Nations reasonable safeguards to enable the people of Kashmir to express their will and is always ready to do so. We have always right from the beginning accepted the idea of the Kashmir people deciding their fate by referendum or plebiscite. In fact, this was our proposal long before the United Nations came into the picture. Ultimately the final decision, of the settlement, which must come, has first of all to be made basically by the people of Kashmir and secondly, as between Pakistan and India directly. Of course it must be remembered that we (India and Pakistan) have reached a great deal of agreement already. What I mean is that many basic features have been thrashed out. We all agreed that it is the people of Kashmir who must decide for themselves about their future externally or internally. It is an obvious fact that even without our agreement no country is going to hold on to Kashmir against the will of the Kashmiris.

9. In his report to All Indian Congress Committee on 6th July, 1951 as published in the Statesman, New Delhi on 9th July, 1951, Pandit Nehru said, "Kashmir has been wrongly looked upon as a prize for India or Pakistan. People seem to forget that Kashmir is not a commodity for sale or to be bartered. It has an individual existence

and its people must be the final arbiters of their future. It is here today that a struggle is bearing fruit, not in the battlefield but in the minds of men."

10. In a letter dated 11th September, 1951, to the U.N. representative, Pandit Nehru wrote, "The Government of India not only reaffirms its acceptance of the principle that the question of the continuing accession of the state of Jammu and Kashmir to India shall be decided through the democratic method of a free and impartial plebiscite under the auspices of the United Nations but is anxious that the conditions necessary for such a plebiscite should be created as quickly as possible."

Word of honour

11. As reported by Amrita Bazar Patrika, Calcutta, on 2nd January, 1952, while replying to Dr. Mookerji's question in the Indian Legislature as to what the Congress Government going to do about one third of territory still held by Pakistan, Pandit Nehru said, "is not the property of either India or Pakistan. It belongs to the Kashmiri people. When Kashmir acceded to India, we made it clear to the leaders of the Kashmiri people that we would ultimately abide by the verdict of their Plebiscite. If they, tell us to walk out, I would have no hesitation in quitting. We have taken the issue to United Nations and given our word of honour for a peaceful solution. As a great nation, we cannot go back on it. We have left the question for

final solution to the people of Kashmir and we are determined to abide by their decision."

12. In his statement in the Indian Parliament on 7th August, 1952, Pandit Nehru said, "Let me say clearly that we accept the basic proposition that the future of Kashmir is going to be decided finally by the goodwill and pleasure of her people. The goodwill and pleasure of this Parliament is of no importance in this matter not because this parliament does not have the strength to decide the question of Kashmir but because any kind of imposition would be against the principles that this Parliament holds. Kashmir is very close to our minds and hearts and if by some decree or adverse fortune, ceases to be a part of India, it will be a wrench and a pain and torment for us. If, however, the people of Kashmir do not wish to remain with us, let them go by all means. We will not keep them against their will, however painful it may be to us. I want to stress that it is only the people of Kashmir who can decide the future of Kashmir. It is not that we have merely said that to the United Nations and to the people of Kashmir, it is our conviction and one that is borne out by the policy that we have pursued, not only in Kashmir but everywhere. Though these five years have meant a lot of trouble and expense and in spite of all we have done, we would willingly leave if it was made clear to us that the people of Kashmir wanted us to go. However sad we may feel about leaving we are not going to stay against

the wishes of the people. We are not going to impose ourselves on them on the point of the bayonet."

Kashmir's soul

13. In his statement in the Lok Sabha on 31st March, 1955 as published in Hindustan Times New Delhi on 1st April, 1955, and Pt Nehru said, "Kashmir is perhaps the most difficult of all these problems between India and Pakistan. We should also remember that Kashmir is not a thing to be bandied between India and Pakistan but it has a soul of its own and an individuality of its own. Nothing can be done without the goodwill and consent of the people of Kashmir."

14. In his statement in the Security Council while taking part in debate on Kashmir in the 765th meeting of the Security Council on 24th January, 1957, the Indian representative Mr. Krishna Menon said, "So far as we are concerned, there is not one word in the statements that I have made in this council which can be interpreted to mean that we will not honour international obligations. I want to say for the purpose of the record that there is nothing that has been said on behalf of the Government of India which in the slightest degree indicates that the Government of India or the Union of India will dishonour any international obligations it has undertaken."

The Maharaja's Letter to the Governor-General of India, Lord Mountbatten, on 26 October 1947

26th October 1947

My Dear Lord Mountbatten,

I have to inform Your Excellency that a grave emergency has arisen in my State and request immediate assistance of your Government.

As Your Excellency is aware the State of Jammu and Kashmir has not acceded to either the Dominion of India or to Pakistan. Geographically my State is contiguous to both the Dominions. It has vital economically and cultural links with both of them. Besides my State has a common boundary with the Soviet Republic and China. In their external relations the Dominion of India and Pakistan cannot ignore this fact.

I wanted to take time to decide to which Dominion I should accede, whether it is not in the best interest of both the Dominions and my State to stand Independent, of course with friendly and cordial relations with both.

I accordingly approached the Dominions of India and Pakistan to enter into a standstill agreement with my State. The Pakistan Government accepted this arrangement. The Dominion of India desired further discussion with representatives of my Government. I

could not arrange this is view of the developments indicated below. In fact the Pakistan Government under the standstill agreement are operating Post and Telegraph system inside the State.

Though we have got a standstill agreement with the Pakistan Government, that Government permitted steady and increasing strangulation of supplies like food, salt and petrol to my State.

With the conditions obtaining at present in my State and the great emergency of the situation as it exists I have no option but to ask for help from the Indian Dominion. Naturally they cannot send the help asked for by me without my State acceding to the Dominion of India. I have accordingly decided to do so and I attach the Instrument of Accession for acceptance by your Government. The other alternative is to leave my State and my people to freebooters. On this basis no civilised Government can exist or be maintained. This alternative I will never allow to happen so Song as I am the Ruler of the State and I have life to defend my country.

I may also inform Your Excellency's Government that it is my intention at once to set up an Interim Government and ask Sheikh Abdulla to carry the responsibilities in this emergency with my Prime Minister.

If my State has to be saved immediate assistance must be available at Srinagar. Mr, Menon is fully aware of the

situation and he will explain to you if further explanation is needed.

In haste and with kindest regards.

Hari Singh

Reply from Governor-General, India, Delhi,

Dated 27 October 1947

My Dear Maharaja Sahib,

Your Highness's letter, dated the 26th October has been delivered to me by Mr. V.P. Menon. In the special circumstances mentioned by Your Highness, my Government have decided to accept the accession of Kashmir State to the Dominion of India. Consistently with their policy that, in the case of any State where the issue of accession has been the subject of dispute, the question of accession should be decided in accordance with the wishes of the people of the State, **it is my Government's wish that, as soon as law and order have been restored in Kashmir and her soil cleared of the invader, the question of the State's accession should be settled by a reference to the people.** Meanwhile, in response to Your Highness's appeal for military aid, action has been taken today to send troops of the Indian Army to Kashmir to

help your own forces to defend your territory and to protect the lives, property and honour of your people.

My Government and I note with satisfaction that your Highness has decided to invite Sheikh Abdulla to form an Interim Government to work with your Prime Minister.

Mountbatten of Burma